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Vol 4

City of Boston.

January 2nd. 1826.

This being the day appointed by law for the organization of the City government. The following Gentlemen together with the members of the Common Council appeared in the Hall of the Common Council and took their seats. Viz:

Hon. Josiah Quincy, Mayor.

Aldermen.

Daniel Carney,	John Bellows,
Josiah Marshall,	Thomas Welsh, Junior,
Henry J. Oliver,	John F. Loring,
Francis Jackson, Esquires.	Edw: H. Robbins Jr. Esq^r.

The meeting was opened with prayer by the Reverend Sereno Edwards Dwight.

The Honorable Isaac Parker, Chief Justice of the Supreme Judicial Court administered the several oaths required by law, to the Mayor. — Mayor sworn

The Mayor afterwards administered the like oaths to the Aldermen; and afterwards to the members of the Common Council. He then addressed the members of the City Council. — Aldermen sworn

After which the Mayor and Aldermen retired to their own room.

Mr. Curtis came up with a message from the Common Council to inform — Pres. & Clk Com: Council

the

the Mayor and Aldermen, that the said Council had elected John K. Adam, Esquire, for their President, and Thomas Clarke, Esquire, Clerk. And that in consequence of the absence of Mr. Adam, they had chosen William Bayley, Esquire, President pro tempore.

Convention to elect City Clerk

Alderman Oliver was charged with a message to the Common Council, proposing a Convention of both boards, forthwith, for the purpose of electing a City Clerk.

Mr. Hallet came up with a message from the Common Council to inform the board of Aldermen, that they concur in the proposition to form a Convention of the two boards to meet forthwith in the Common Council room, for the purpose of electing a City Clerk.

In Convention.

City Clerk chosen

Agreeably to appointment the two boards met in Convention in the Common Council room, for the purpose of electing a City Clerk. Alderman Oliver, Mess^rs Hallet and Peabody were appointed a committee to receive, sort and count the votes for a City Clerk, who reported, that the whole number of votes was 48,

Necessary for a choice	25
Samuel F. M^cCleary, Esq. had	40

and he was chosen.

Sworn

The oath of office was administered to him, by the Mayor.

The business of the Convention being accomplished, the two boards separated.

Ordered, that the City be divided 3.
into four districts, as follows viz: District
1st Div. Wards No. 1, 2, & 3. Aldermen Marshall and Oliver. Committees
2d " " " 4, 8, & 9. " Bellows and Robbins.
3d " " " 5, 6, & 7. " Welsh and Loring.
4th " " " 10, 11, & 12. " Carney and Jackson.
for the purpose of attending to the several streets, lanes, alleys and public places within those districts.

Ordered, that the Mayor, Alderm- Reservoirs.
men Bellows, Welsh and Oliver, be a committee to carry into effect the order of the last City Council authorizing the building of Reservoirs, in various places in the City.

Petition of Daniel Mepenger, and Mepenger
others, Inhabitants of Ward No. 10, praying, that a Ward No. 10.
permanent and known place of meeting, of the Inhabitants of said Ward may be erected for the transaction of their business. Read and committed to Aldermen Carney, Bellows and Jackson, with such as the Common Council may join, to consider and report.
Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Lodge, Rice, Brewer and Dorr.

Petition of John Bray, and others, Bray
Inhabitants of Ward No. 1, praying, that a new story Ward No. 1.
may be constructed on the Eliot School house, for the accommodation of the Inhabitants of said Ward for the transaction of their business at Ward meetings. Read and committed to Aldermen Marshall and Oliver, with such

as

H. as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Barry, Leroy and Clark.

Mayor's addrs. Copy for press. requested.

Order of the Common Council appointing Messrs. Tracey, Farnsworth, and Peabody with such as the board of Aldermen might join, a committee to present the thanks of the City Council to the Mayor, for the address delivered to them this day, and to request a copy thereof, for the press. came up for concurrence. Read and concurred, and Aldermen Marshall and Oliver are joined.

Res. Physician Health Com.r & Island Keeper.

Agreeably to a vote of the last City Council, the City Clerk communicated a report of a joint committee, and the order of the City Council thereon in relation to the resident Physician, Health Commissioner and Island Keeper. Which was read and ordered to lie upon the table.

Adjourned to Thursday next, Six o'Clock P. M.

Thursday January 5th. 1826.

Met according to adjournment.

Present. The whole board.

Surveyors of Highways

Order of the Common Council appointing the Mayor and Aldermen Surveyors of highways, of the City of Boston, the year ensuing. Came up for concurrence.

Read and concurred.

Ordered, That Aldermen Carney and Jackson, with such as the Common Council may join, be a committee, to be called the Committee on Neck lands; whose duty it shall be, to superintend said lands, and to cause such improvements and repairs to be made thereon as they may think necessary, to rent them; and in case of application for the purchase of any part thereof, to fix a price and report the same to the City Council for their approbation. Sent down for concurrence. Came up concurred; and the Common Council joined on its part, Messrs. Morey, Dove, and Hatch. Neck lands Com. on

Petition of Isaac P. Davis, & others, owners of a piece of upland and marsh on Boston neck, adjoining land owned by the City, praying, that the line may be straightened, and for that purpose said proprietors are willing to sell, buy or exchange lands. Read and committed to the Committee on Neck lands, to consider and report. Sent down for concurrence. Came up concurred. Davis Neck lands.

Ordered, That the Mayor, Aldermen Welsh and Robbins with such as the Common Council may join, be a committee on the subject of the revision of the bye laws, with full authority to carry into effect the measures adopted by the committee of the two last City Councils on that subject. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Morey, Gray, Dove and Waters. Bye laws revision of

16.

Treadwell's Water

Ordered, that the Mayor, Aldermen Bellows, Kiser and Loring, with such as the Common Council may join, be a committee whom the subject of the report of Daniel Treadwell, Esq. made to the last City Council, in relation to supplying the City with water, to ascertain upon what terms the sources of water mentioned in said report, together with the privileges appurtenant thereto, can be obtained and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs. J. Parker, Rice, Wallcut, Boies, Curtis, Hastings and Barry.

Langley Neck lands

Petition of Samuel Langley, to purchase a lot of land in the rear of his house, on the westerly side of Washington street. Read and committed to the committee on Neck lands, to consider and report. Sent down for concurrence. Came up concurred.

Dyke

Ordered, that Aldermen Carney, and Bellows and Welsh, be a committee to carry into effect the vote of the last City Council authorizing a Dyke to be built, beginning at a point near Baldwin's mills, and run the same in a direct line to Fayette street, conformably to the plan approved by the City Council, October 24th 1825.

Jackson Fresh water

Petition of P. T. Jackson, and others, praying, the consent and assistance of the City in their obtaining from the Legislature, an act of incorporation, giving an authority to construct an Aqueduct for the purpose of conveying a sufficient quantity of fresh water

into

into the City, for the use of the Inhabitants, and for extinguishing fires. Read and committed to the committee appointed to take into consideration the subject of supplying the City with fresh water, to consider and report. Sent down for concurrence. Came up concurred. J.

Ordered, That the Mayor and Alderman Welsh, with such as the Common Council may join, be a committee to carry into effect, the order of the last City Council, authorizing the erection of an Engine house on Pemberton's hill. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Bassett, Hall and Brooks. Engine house Pemberton's hill.

The City Marshal made a report that complaints have been made to him in relation to the projection of Cellar doors into certain streets of the City, on the ground of their being nuisances. Read and committed to the Mayor and Alderman Welsh with such as the Common Council may join, to consider and report upon the expediency of making any alteration in the existing laws, relative to the subject of the projection of Cellar doors into the streets. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Peabody, Bassett and James. Cellar doors.

Agreeable to the report of a committee Rufus Harrington and John W. Gamage were nominated & appointed undertakers at South Boston. Undertakers

Physician to Gaol

Ordered, that the Mayor, Aldermen Welsh and Oliver, be a committee to consider and report upon the powers of the Mayor and Aldermen as to the appointment of a Physician to the Gaol, and also in relation to the expenditures of the County of Suffolk, and that said committee also take into consideration the resignation of Doctor Thomas T. Parker, as Physician of the House of Correction; and also the claim of Samuel B. Fullerton, for work done at the City Lunatic House.

Engines

Ordered, that the new Engine from New York be delivered to the Company of Engine No 7, and that said new Engine bear the same number; and that the old Engine No 7, be transferred to the new Company in Sea Street, and to bear the No 19.

Powell Theatre

Petition of Elizabeth Powell, Henry J. Finn and Thomas Kilner, Managers of Federal Street Theatre, for a license for said Theatre the year ensuing. Read and committed to the Mayor, Aldermen Fuller, Marshall, Welsh and Oliver, to consider and report.

Harrington New Street

Petition of Ephraim Harrington, & others, to have a new Street named, running from Pleasant Street, to the Flats. Read and committed to Aldermen Lannoy and Jackson, to consider and report.

Faneuil Hall Market. Com:

Ordered, that Aldermen Marshall Oliver and Loring, be a standing committee on Faneuil Hall Market.

Ordered, That the Mayor be a committee to apply to the Legislature to have the Inhabitants residing on the Mill Dam annexed to Ward No. 6, agreeable to the report of the committee on the petition of Samuel Brigham, and others accepted by the last City Council. Q. Brigham Mill dam Ward No. 6.

Ordered, That the Mayor, Aldermen Bellows, Marshall and Robbins, with such as the Common Council may join, be a committee upon the subject of the extension of Faneuil Hall Market, with authority to carry into effect the resolutions passed by the three last City Councils, with all the powers and authorities, and subject to all the limitations therein provided and expressed. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs. the President, Curtis, Hastings, Davis, Lodge, Grosvenor and Barnard. Faneuil Hall Market Extension.

Resolved, That the whole board do meet at the corner of Oliver and Milk streets, for the purpose of considering the expediency of widening those streets, and that notice be given to Patrick T. Jackson and John Cotton, Esquires, to attend, as also C. D. Fuller, the Surveyors. Oliver & Milk streets.

Adjourned to the above mentioned time and place accordingly.

Friday January 6th. 1826.

Met according to adjournment

Present. The whole board.

Oliver & Milk streets

The board met this morning, & viewed Milk and Oliver streets, in company with P.J. Parkson and John Cotton, Esquires, & S. D. Fuller, Surveyor.

Ordered, that the Surveyor make a plan of Oliver, and Milk streets, between Oliver and Broad streets.

Adjourned to Monday next, Six o'Clock P. M.

Monday January 9th. 1826.

Met according to adjournment.

Present. The whole board.

Common Council members qualified

Messrs. Adam, Dyer and Stevens came (up) attended by Mr. James, and were duly qualified to take their seats as members of the common council, by taking the several oaths required by the constitution and laws, before the Mayor.

Accounts Com: on

Order of the Common Council, giving notice of the appointment by ballot on its part of Messrs. Thomas Wilcox, Isaac Parker and Joseph Eveleth, on the committee of accounts. This board proceeded by ballot to choose on its part, two members to be joined to the above committee, and the votes being taken, it appeared that Henry J. Oliver and John T. Loring, Esquires were chosen.

Ordered, That it shall be adopted 11.
as a condition of any license made for any theatrical, Theatrical
or other exhibitions or public shews, of whatsoever nature; licenses
that whensoever the Mayor and Aldermen shall deem
it expedient for the preservation of order and decorum,
or public peace and quiet, to cause any number of
Constables, Marshals & other officers of police to be
placed in any house, where any theatrical or other ex-
hibitions, or public shew shall be licensed and had, or
in the vicinity thereof; the Managers, Proprietors or owners
of such exhibition or shew shall pay the officers so
placed, such compensation as the Mayor and Aldermen
shall direct; having regard to the nature of the
services actually rendered, and the making such pay-
ment whenever so directed shall be inserted as a
condition of any bond given in relation to such
Licenses.

The committee upon the ap- Theatres
plication of the Managers of the Federal street Theatre licensed
for the renewal of their license, and also of the
Washington Garden Theatre, be One thousand dollars,
each, to commence on the tenth day of January,
instant, and end on the tenth day of January, 182[illegible].
Read and accepted and ordered accordingly.

Benjamin Sweetser's petition and Sweetser
order of Court thereon for compensation for land taken for
the purpose of extending and laying out a street, running
at right angles with North and South Market streets
on to the Long wharf. Read and referred to Alder-

man

12. man Welsh with instructions to defend the same before the Court.

Lincoln Petition of Henry Lincoln for
Portland compensation for land taken to widen Portland Street,
Street. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Penniman Communication from Elisha Penni
Washington man, proposing to take down the front of his store on
Street. Washington street, upon certain conditions therein specified. Read and committed to the Mayor, and Alderman Bellows, with instructions to cause the part of the store, which extends into Washington street to be removed, and the front to be refitted.

Engine Petition of Engine Company No. 10,
No. 10. praying, that a new engine may be granted said company. Read and committed to Aldermen Marshall and Oliver, to consider and report.

Rubsell Petition of Benjamin Rubsell, Jr. and twenty nine others, praying to be organized as an Engine Company, to have the command of one of the small engines. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Engine Ordered, that an additional number
No. 7. of men be attached to Engine No. 7. so as to make their full complement, fifty men. That a stove pipe be put up in their Engine house.

Ordered, That the Mayor, Alder- Engineers &c.
men Bellows and Marshall, be a committee upon the Caps, insignia
subject of Caps, Badges and insignia for the Engineers, &
and members of the several fire companies, and also
upon the certificates of membership.

Ordered, That Aldermen Bellows Cotton &
and Robbins be a committee to confer with Mess^rs Jackson
Cotton and Jackson and ascertain upon what terms Milk street
a strip of land from their estates in Milk street can
be obtained, for the purpose of widening said street.

The following firemen were nomi- Firemen
nated and appointed for Ward No 12. viz^t Ward No 12.

Moses Williams, George Jackson, Charles Waterman,
John Mayo, Joseph Dale, James Barry, Jun^r
Aaron D. Weld, Jr, John L. Simmons, William H. Hore and
John Bordelle, Henry Curtis, Jun^r James Carney,
Nath^l B. Carney, Jonathan French Jr George Davenport,
Daniel F. Child, James Blake, John D.W. Williams,
John R. French, Stephen G Rutz, Phineas Gay,
Brewster Reynolds, Daniel F. Hunting, George Savage, &
Joseph Lawrence.

The following firemen were nomina- Firemen
ted and appointed for Ward No 11. viz^t Ward No 11.

Richards Child, Corbin Bullard, Grenville Ellis,
Flavel Wheeler, Samuel Phillips Jun^r Samuel Curtis,
William Smith, Charles H. Parker, Henry Ford,
Samuel A. Reeder, S. F.W. Lamb Samuel F. Morse,
Pearson H. Fields, Charles Heath, Otis Everett, Jun^r

14. Gardner Brewer, Charles Upham, John Osgood,
Stephen Sargent, Amos Cummings, Jonathan Ellis,
O. W. Bird, Edward Watson, Joseph N. Scott &
John Howe.

Nichols — Petition of Charles C. Nichols, and others,
Ward No. 8. that a new wood room and Engine house may be erected in Ward No. 8, on the land in Franklin Place between the Theatre and Josiah Marshall, Esq. Read and committed to Aldermen Bellows and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Curtis, Torrey and Baldwin.

Whitney — Petition of William Whitney, and others, praying, that some measures may be adopted to secure the lives and property of the Petitioners from the danger of fire, arising from a certain wooden building, situated in Sister Street, occupied by Benjamin Morgan, as a Carpenter's Shop, which they state is used in a very dangerous and careless manner, & is covered and surrounded both inside and out with light and combustable materials, such as loose shavings, seasoned stuff &c. thereby endangering the houses of the Petitioners in Atkinson, Federal, Perry, Williams and Sister Streets. Read & committed to the Mayor, Aldermen Welsh and Oliver, with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part, Messrs. Brooks, Stevens, Bowers & Rice.

Petition of P. S. Jackson, Amos Lawrence and Gerry Fairbanks, a Committee of an Association, for the public exhibition and sale of domestic manufactures, praying, that the ~~xxxx~~ room over the new Market House may be appropriated for that purpose. (Read and committed to the Mayor, Aldermen Welsh, Oliver, Loring and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Dorr, Burnam, Hammond, d'Wraave, Brooks, Baldwin & Wallet.

Jackson & others Domestic Manufactures

Adjourned to Thursday next, Six o'clock P. M.

Thursday January 12th 1826.

Met according to adjournment.

Present - The whole board.

Ordered, That Aldermen Oliver, Loring and Jackson, be a standing committee on the Gaol, Court House and House of Correction.

Gaol, C. House & H. of Correction

Order of the Common Council appointing Messrs. Curtis, Wallet and Hastings, with such as the board of Aldermen might join, a committee to consider and report upon the expediency of applying to the Legislature for authority to assess the taxes on the inhabitants of this City at an earlier period of the year, than is now provided by law, and also to consider and report what other measures

Taxes

appointment of

are

Mr. are necessary in order to enable the City government to realize the taxes more seasonably. Came up for concurrence. Read and concurred, and Aldermen Welsh and Robbins are joined.

Smith Messenger & City Chamb. William Smith was nominated and appointed Messenger, and Keeper of the Lock, Court house; and ordered, that his compensation be three dollars, per month.

Hay weighing. Ordered, that Aldermen Carney & and Bellows, be a committee to consider and report upon the subject of Hay weighing.

Deer Island. Ordered, that the Mayor, Aldermen Oliver and Jackson, with such as the Common Council may join, be a committee upon the subject of leasing Deer Island, and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Stevens, Pratt, Wm. Parker and Adams.

Gaol &c. medicine Ordered, that the committee on the Gaol &c. be instructed to consider and report upon the expediency of furnishing medicine for the Gaol and House of Correction by the City.

Brunswick pie A communication from a committee of the town of Brunswick in the State of Maine, inclosing a number of Sheets on the subject of Lopes for pie in said town, with a request that each minister of the City be furnished with a Copy, Whereupon said Board thereon in such manner as may be thought proper & expedient. Read & Sent down.

Order of the Common Council in 17.
structing the Committee appointed on the report of Daniel Water.
Treadwell, Esq. to ascertain how the sources & privileges
referred to therein can be obtained, that they be
authorized to make or cause to be made such fur-
ther surveys as they may deem expedient. Came up
for concurrence. Read & concurred.

Petition of Cyprus Balkum, praying Balkum
to purchase a lot of land, one hundred feet on Northampton Northampton
street on the easterly end adjoining the brick yard occ Street.
cupied by the petitioner. Read and committed to the
Committee on Neck lands, to consider and report. Sent
down for concurrence. Came up concurred

Petition of the President & Directors of Boston & Rox.
the Boston and Roxbury Mill Corporation relative to the Mill Corp.
rights of the City and said Corporation, and praying
that Commissioners may be appointed to settle their
respective rights in the receiving basin (so called) or flats
in the back bay. Read and committed to Aldermen
Cairney, Bellows, Welsh, Oliver, Parkman and Robbins, with
such as the Common Council may join, with instructions
to take legal advice in regard to the rights of the City,
and report. Sent down for concurrence. Came up
concurred, and the Common Council joined on its part,
Messrs Bradley, Tracey, J. Parker, Lodge, Morey, Hatch &
Everett.

Petition of Timothy Fuller, to purchase Fuller
a lot of land, which the City heretofore purchased for a

School

18. School house lot, in the rear and adjoining the land of Ebenezer Parker, and now unimproved. Read and committed to Aldermen Carney and Jackson, with such as the Common Council may join, to consider and report, sent down for concurrence. Leave with concurrence. The Common Council joined on its part, Messrs Rice, Brewer and Piper.

Engine & Hydraulion Co. Petition of the committee of the associated fire engine and hydraulion company, praying, that the number of said company may be fixed at one hundred, and also that signal lanthorns, & cockhas for the hose may be attached to the engine. Read and the prayer thereof granted, and that the Mayor be authorized to carry the same into effect.

Hose Company. The following named persons were nominated and appointed members of the Hose company, viz: George Dennie, Leonard Blanchard, John T. Shear, Elisha Wesley, Charles L. Green, Charles C. Darling, William R. Frost, John S. Burton, Snelling Pond, James L. Warner, E. H. White, Rufus Rice, William Davis, 2nd, Andrew Dorr, 2nd, John Hooper, Henry Homes, 2nd, James Gordon.

Ordered, That the above company be authorized to increase their number to twenty five.

Adjourned to Thursday next, six o'clock P. M.

Special meeting.

Tuesday January 17th 1826.

Present. The whole board.

The committee of both branches of the City Council, to whom was referred the petition of Patrick T. Jackson, Esquire, and others, a committee of sundry persons, who profess to form an association for the purpose of encouraging the public exhibition and sales of products of domestic industry, having taken the subject matter of that petition into consideration and heard the committee of those petitioners, respectfully, Report, That the chief object of the petitioners is to ascertain from the City government, on what terms they will permit the edifice of the City, now existing in the vicinity of Faneuil Hall to be used by the said association for the public exhibition and sales of manufactures. And your committee are of opinion that it will be for the interest of the City to grant them the use of as much of the upper story of the new market house, as may be necessary for those purposes the present year, leaving it to future City Councils to decide upon the future interest of the City in that respect. They therefore, respectfully recommend the following resolution for the consideration & adoption of the City Council. All which is respectfully submitted, by order of the Committee.

Jackson Domestic Manufactures exhibition.

Josiah Quincy, Chairman.

Resolved, That the association proposed to be formed in this Commonwealth, for the purpose of encouraging the public exhibition and sale of products of

domestic

20. domestic industry, shall, whenever the same shall be legally organized have for the purposes of such exhibition and sale, the use of so much of the upper story of the new Market house, now building, near Faneuil Hall, as they may require for the present City year, not exceeding twenty days in the Spring, and twenty days in the Autumn, the said association giving notice to the Mayor and Aldermen, on or before the first day of April, next, of the portion of said upper story they may find it necessary to occupy, and the particular terms of time, at which they may determine to make use of it, for the purposes above expressed. Read & accepted in the Common Council, and the resolve passed. Sent up for Concurrence. Read and concurred.

Plimpton Concert

Application of Mrs. Plimpton for a license, for herself, Son and daughter to give a Concert in the lower Hall of the Columbian Museum, on Monday evening next, and to repeat the same, three or four times.

County Lands Committee

Order of the Common Council appointing Messrs. Parker, Curtis, Foster, Ledyard, Grosvenor, Prescott & Thayer, with such as the board of Aldermen might join, a committee to consider the expediency of selling a part of the County lands, between Court Street, and the County House, and that for the better understanding of the subject, they cause a survey and plan of the whole to be made, designating such portion as may be sold, and what in their opinion it will be proper to reserve, for the use of the County or City. Also to

Consider

consider the expediency of purchasing land contiguous to the Court House (or to lands owned by the County) & if any such purchase shall be by them thought advisable, to report to the City Council, a plan of the same and the terms on which it can be had. And that the reports of the committee on County lands and on the expediency of providing buildings for the United States, and other Courts be referred to the same committee, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Bellows, Oliver, Loring and Robbins are joined.

Order of the Common Council, directing, that the sum of five thousand dollars, be added to the appropriation to defray the expenses of the "Fire department," including new engines, hose, construction &c. and that the same amount be withdrawn from the appropriation for the payment of the instalments of the City and County debt. Came up for concurrence. Read and concurred.

Fire department appropriation.

The committee appointed to consider the application of William S. Baxter, and others, a committee in behalf of Engine Company No. 10, called the Hancocks, setting forth, that the said engine is too small and very much out of repair, and praying that said company might be furnished with a new larger and more effective engine, reported, that the prayer of said petition be granted. Read and accepted, and thereupon ordered, that the same be committed to Aldermen Bellows, Oliver

Baxter Engine No. 10.

22. Oliver and Loring, for the purpose of ascertaining and reporting what a new Engine will cost.

Firemen Ward No. 4. The following firemen were nominated and appointed for Ward No. 4. viz:

Thomas Waterman, Josiah Atkins, Thomas A. Nichols,
Jacob C. Flint, Solomon Wildes, E. A. Murray,
W^m A. Brigham, Nathan Ball, Laban Smith,
Hanson Smith, Abr^m Miller Jr., Wm W. Cary,
Alex^r S. Riley, David Kimball, Samuel Fisk,
R^d G. Walker, Ed Atwood, B. F. Greenough,
Abraham Mitchell, John A. Merrill, Albert J. Conant,
W^m S. Chase, John Small, John C. Timber,
George Riley.

Firemen Ward No. 5. The following firemen were nominated and appointed for ward No. 5. viz:

Horatio Gates Ware, Robert Barbers, Martin Beals,
George Stearns, Nath^l Hammon, William Frost,
Lewis Dennis, Oliver Davis, Aaron F. Wilton,
John Sullivan, Samuel Kimball, Nathan Kingsbury,
Shubael M. Cushman, Leonard Shaldens, George Rogers,
John Muzzy, Abel Coolidge, John Hammond,
D. L. Ware, Benj^a Hudkins, Moses Paquith,
John W^m Wester, Levi Haskell, James Foster,
Nath^l Ryde.

Engines A communication was received from the Secretary of the Firewards, relative to several of the Engines. Read & Thereupon Ordered, That Alderman Marshall & Oliver be a Committee for Engine No. 3. Aldermen Loring & Cushman, be a Committee for Engines No. 8. & No. 12. —

Ordered, That Aldermen Carney, Marshall and Jackson, be a committee to ascertain the best terms, and contract for a number of fire buckets, not exceeding two hundred pair, to be made & delivered to the satisfaction of said committee. Fire buckets.

The following firemen were nominated and appointed for Ward No. 2. 1826: Firemen Ward No. 2.

Henry Towle, Junr.	John Hobbs,	Isaac Hall,
James Hesmith,	Charles French,	Joseph Davis,
Isaac Low,	Ruth[illegible] Pudd[illegible],	John Lewis,
Josiah E. Andrews,	Henry C. Smith,	Isaac Towle,
Isaac Snow,	Francis Peruchin,	Wm Burnam,
Alford Wood, Junr	Erasmus Thompson,	Steph[illegible] Rhoades,
Benjamin Field,	Isaac Peirce,	Richard Pike,
Benjamin Abrahams,	Reuben T. Robinson,	Alex[illegible] Hopkins,
Daniel Edes.		

(3)

Adjourned to Thursday next six o'clock P.M.

Thursday January 19th 1826.

Met according to adjournment.

Present. The whole board.

Order of the Common Council appointing Messrs Gray, Peabody, Bapelt, Stevens, Farnsworth, Darling and Bolen with such as the board of Aldermen may think proper, a committee to consider the powers of the Mayor, or other officers of the City in relation to the preservation of the peace with liberty to report by ordinance or otherwise. Come up for concurrence. Read & con. Ald. Welsh, Oliver & Loring are joined. Mayor powers of.

24.

Whittemore Tombs.

Order of the Common Council appointing Messrs. Bois, Farnsworth and Fisher, with such as the board of Aldermen might join, a committee to consider and report upon the petition of Nathaniel Whittemore and Ephraim Harrington, for permission to erect Tombs, under a license of Public Worship, on the contemplated building at South Boston. Came up for concurrence. Read and concurred, and the Mayor & Aldermen Jackson are joined.

Juvenile Offenders

Order of the Common Council appointing Messrs. Stevens, Bois, and Grosvenor, with such as the board of Aldermen might join, a committee to consider and report some practicable plan by which Juvenile offenders of both sexes may be reformed, as well as punished for the commission of petit crimes. Came up for concurrence. Read and concurred, and the Mayor Aldermen Oliver and Loring are joined.

Pinkney St. Evans Simmons Hill Andrews Whitney.

Order of the Common Council appointing Messrs. Ralph H. Torrey, Barnard, Thayer & Jones with such as the board of Aldermen might join, a Committee to take into consideration and report upon the several petitions of Jeremiah Evans, William Simmons, Moses Hill, Ebenezer T. Andrews, and Lucius Whitney, praying remuneration for damages sustained by them in consequence of digging down Pinkney Street. Came up for concurrence. Read and concurred, and Aldermen Carney, Bellows and Oliver are joined.

Order of the Common Council committing the Petition of John Callender for an additional allowance for injury done to his estate in consequence of digging down Walnut Common streets &c to the Committee who have under consideration the petition of Jeremiah Evarts and others, to consider and report. Came up for concurrence. Read and concurred. Callender Walnut & Common St.

Order of the Common Council committing Messrs Moses, Bowes, Wilson and S. Marston with such as the Board of Aldermen might join a Committee on the subject of the ancient records of the town of Boston and County of Suffolk, referred by the last to the present City Council. Came up for concurrence. Read and concurred, and Aldermen Marshall Welsh and Oliver are joined. Ancient Records.

Order of the Common Council committing Messrs Bond, Merriam and Parker, with such as the Board of Aldermen might join, a committee to consider and report upon the petition of Moses Greenleaf, to purchase a part or the whole of a township of land belonging to the City, situated in the State of Maine, being township No 6, in the range. Came up for concurrence. Read and concurred, and Aldermen Marshall and Robbins are joined. Greenleaf Eastern lands.

Petition of Zebulon Swanton, Robbins. praying that a new engine may be located in Charles Street near the burying place. Read & Com.d to Ald. Bellows & Marshall to consider & report. Swanton Engine

Engine No 11.

The committee to whom the subject of location of Engine No 11. was referred, Reported, That the land on which the Engine is now located, is the property of the City, and under the present state of the fire department, that it would be inexpedient to remove said Engine. Read and accepted.

Engine House Franklin place

Ordered, That Aldermen Bellows & Robbins with such as the Common Council may join, be a Committee to consider and report upon the expediency of purchasing a piece of land in the vicinity of Franklin place for the location of a new Engine House. Sent down for concurrence. Same was concurred, and the Common Council joined on its part, Messrs Curtis, Torrey and Baldwin.

State House fence

Ordered That the Mayor, be authorized to apply to His Excellency the Governor, and if deemed expedient to obtain the Legislative relation to the fence around the State House yard.

Fuller Washington St.

The committee to whom was referred the petition of Timothy Fuller, to purchase a lot of land situated on the westerly side of Washington Street, reported That they have had the subject under consideration, and recommend that the lot above mentioned be sold at auction, and that the time of sale be on Thursday the twelfth day of February next, at half past three o'clock, in the afternoon; and the conditions of sale be, That the purchaser have liberty, either to pay the whole amount on delivery of the deed, or ten per centum, and the residue

within

within five years, secured by a mortgage, with interest at six per cent. payable annually. Read and accepted and thereupon ordered, that the same committee be authorized to carry the report into effect. Sent down for concurrence. Came up concurred.

Chief Engineer

Samuel Devens Harris Esq. was nominated and unanimously appointed Chief Engineer of the Fire department, for the year ensuing. Sent down for concurrence. Came up concurred.

Firemen Ward No. 7.

The following firemen for Ward No. 7. were nominated and appointed viz:

John A. Watson,	Watson Freeman,	Benjamin Freeman,
George Shaw,	Ebenezer Thayer,	Geo. W. Armstrong,
James T. Hayward,	William Taylor,	Charles Hayward,
Richard Warren,	John M. Marston,	Darius Brigham,
Samuel Evelette,	Jonas Prouty,	John W. Harris,
Henry F. Barton,	James W. Fose,	Athens Cary,
Charles M. Domett,	John B. Goodwin,	Kilby Page,
Charles Lane,	Solomon Loud,	Henry Beals,
Francis W. Dana.		

Hay weighers

The committee to whom was referred the application of Thomas R. Watkins, Hay weigher reported, that the hay weighers be permitted to have discretionary powers, as to the fees for weighing large and heavy loads as set forth in the petition according to the time & trouble expended, not interfering at all with his other and more important and legal duties. Read and accepted.

Adjourned to Monday next, six o'clock, P. M.

Monday January 23d 1826.

Met according to adjournment.

Present The whole board, except Alderman Bellows.

Engineers. The board proceeded to elect and appoint twenty Engineers, for the fire department of the City, and the following Gentlemen were elected and appointed accordingly, Viz:

Daniel C. Baron, George Barnacott, Henry Fairbanks,
Simon Wilkinson, John Candler, Thomas B Curtis,
Alex.r H. Gibbs, William Wilson, Oliver C. Greenleaf,
Thomas H. Perkins, Jr. William Tucker, Sam.l T. Coolidge,
Benjamin Darling, John Farrar, Jun.r Horace Fox,
Henry Towle, Jun.r Joseph D. Emery, Hiram Woodbury,
Brewster Reynolds and Nathan Hetson. Sent down for concurrence. Came up concurred as amended. Vide proceedings 25th instant, Folio 31.

Ordered, That the Engineers take rank in the order in which they stand in the above list.

Firemen Ward No.1. The following firemen were nominated and appointed for Ward No. 1. Viz: Nathan Hunt,
Thomas Dewhurst, Isaac R. Butts, John A. Eaton,
John Simpkins, George W. Johnson, David Parker,
Nathaniel Clarke, Delamont Locke, William Heath,
John Center, Wm. W. Colesworthy, Jacob Barstow,
Joseph Austin, Jr. Charles T. Brown, Thomas Crocker,
Curtis Adams, Isaac F. Rowe, Vivian C. Bolton,
Charles Brimhall, Edward Bell, Ebenezer H. Little,
Zechariah Sampson, Joseph M. Leavitt, Thomas White.

The following firemen were nominated and appointed for Ward No. 3. viz:

Isaac N. Dukes,	Joseph P. Shaw,	John Capen,	Firemen
Samuel Gould,	Asaph Meeks,	Edmund Parsons,	Ward No. 3.
Joseph Eustis,	James Davis,	Warren Lincoln,	
George F. Sampson,	David W. Barnes,	Lem. T. Heywood,	
L. H. Barnes,	Otis Daniels,	Asa Rhoades,	
Thomas D. Dyer,	Daniel Shillaber,	Robt. E. Newman,	
Silas P. Merriam,	Leroy Thacher,	Wm. H. Sylvester,	
Lewis Adams,	William Tabbet,	Franklin Pierce,	
Alfred Osgood.			

Order of the Common Council appointing Messrs. Lodge, Baldwin, Torrey, Barnard & Rice; with such as the Board of Aldermen might join, a committee to consider and report, upon the expediency of digging a well in South Market street; and if they are of opinion that a well ought to be located there, to report an estimate of the expense of digging & building the same. Also to consider and report upon the expediency of locating a reservoir in said street, and if they are of opinion that a reservoir ought to be located there, to report an estimate of the expense of building the same. Came up for concurrence. Read and concurred and Aldermen Welsh, Oliver, Loring & Robbins are joined.

South Market street. Well & Reservoir.

Petition of James Page and Benjamin Crombie, praying, that the elevation of Spring and North Allen streets may be determined, as they are about building on the corner of said streets. Read and committed to Aldermen Welsh and Loring, to consider and report.

James Page & Co. &c. Spring & N. Allen streets.

Quarantine Com.ee

Ordered, That Aldermen Oliver, Loring and Jackson, be a standing committee on the subject of Quarantine.

Ramsgate Island Property on

Communication from the Health Commissioner, inclosing a schedule of property on Ramsgate Island Read and committed to the committee on Quarantine.

Weld Atkinson & Pearl Sheets.

Petition of Benjamin L. Weld, praying, that an avenue for foot passengers be opened from Atkinson to Pearl streets through Piercy street. Read & committed to Aldermen Bellows and Robbins, to consider & report.

Holmes and Lincoln. Old State House.

Communication from James N. Maples, and others, stating, that they were witnesses to the brave and laudable exertions of Messrs. Almoran Holmes and Bela Lincoln on the night of the late fire in Court street; that the Old State house was on fire in two places and that through their exertions said building was saved from destruction. Which being read the following vote was passed, unanimously, viz:

It having been made known to this board, that at the fire in Court street, in November, last, Mr. Almoran Holmes and Mr. Bela Lincoln were instrumental in preserving the City building called the Old State House from being destroyed, by ascending through the hole cut down from the Cupola to the attic floor of the building and from thence extinguishing the fire which had already enkindled upon the roof; Therefore

Resolved, That the thanks of this board be presented to Mr. Almoran Holmes and Mr. Bela Lincoln, for their

distinguished

distinguished exertions in preserving, with so much skill, and at so much personal hazard, in the manner above stated, the property of the City from destruction.

Adjourned to Monday next, six o'clock P. M.

Special Meeting.

Wednesday January 25th 1826.

Present. The whole board.

Engineers

The Mayor having reported, that he had received letters from Messrs. William Tucker and Oliver C. Greenleaf, requesting, that their names might be withdrawn from the list of Engineers of the fire department. It is ordered, that their names be withdrawn accordingly. Messrs. William H. Prentice and Joel Prouty were elected and appointed in their stead. Sent down for concurrence. Came up concurred.

Firemen Ward No. 10.

The following firemen were nominated and appointed for Ward No. 10. viz:

Edward S. Hall,	James Hooton,	George W. Adams,
Theodore Baker,	W. H. Mann,	Robert Richardson,
Richard H. Hall,	Andrew A. Hall,	Jacob Richardson,
Solomon Hopkins,	Harrington Hatch,	Henry Hooper,
Nathaniel P. Alley,	George Dearborn,	Charles A. White,
William A. Nichols	Ebenezer Davis,	Edwin Bryant,
Stephen Hale,	Samuel K. Bailey,	John Powell
C. W. Thayer,	Pearson H. Field,	Thomas K. Seavems,
S. F. Brown.		

Willis Concert. Application of Richard Willis, for a license for a Concert at Boylston Hall, for one night. Granted, on paying therefor, two dollars.

Hay weighing. The committee on the subject of hay weighing- Report, That they have made enquiry as to the practice of weighing hay, and find, that at both the Public scales, they have been in the practice of giving tickets for fourths of hundreds, only, and as your committee cannot see the propriety of not giving the whole weight, they recommend, that the weighers of hay, at the City scales be directed in future to give their tickets for the whole weight. Dan'l Carney, per order

Read and accepted.

Wharfinger Caleb Hayward was nominated and appointed Wharfinger, at the City wharf; and that he be authorized to receive the usual fees for wharfage.

Paving & repair of Streets appropriation Order of the Common Council, directing, That the sum of five hundred dollars be added to the appropriation for paving and repair of streets; & that the same amount be withdrawn from the appropriation for the payment of the City and County debt. Came up for Concurrence. Read and concurred.

H. of Industry Petition of the Directors of the House of Industry, praying for an additional appropriation for that department. -

Read & sent down.

Adjourned to Monday next, six o'clock. P. M.

Special meeting.

Thursday January 26th 1826.

Present The Mayor, Aldermen Marshall, Welsh, Loring, and Robbins.

Engines injured

Whereas it appears to this board, by the representations of the Captains of two Engines No's 7 & 18, that some mischievous and evil disposed person or persons, have drawn the screws, and unscrewed the nuts of the bistons of the pumps of those Engines, thereby disabling & rendering them useless; and whereas offences of this nature have a tendency to create alarm, and diminish the security of the City, as well as disturb the peace of mind of its Inhabitants; — Thereupon ordered, that the Mayor be and hereby is authorized to offer a reward of five hundred dollars, for the detection of the offender or offenders aforesaid, & their prosecution to conviction; and to the end that all persons may be apprized of the penalty of the law, in this respect, it is ordered also hereby ordered, that the City Clerk cause the Statute of this Commonwealth in such cases made and provided, to be published.

Engineers rank of

Ordered, that the two Engineers of the fire department, who were elected in the place of two gentlemen who declined serving, take rank in the same place in which those Gentlemen took rank.

Mill Creek

Order of the Common Council directing the Committee appointed to consider the expediency of digging a well, and locating a Reservoir in South Market street, to take into consideration the expediency of removing from the surface of the Mill Creek, beginning

where

34. where the old mills stand, and extending to the end of North Market Street) so much of the same as will serve as a Reservoir, retaining at all times one foot of water in depth in said Creeks. Came up for concurrence.

Read and Concurred.

Adjourned to Monday next, six o'clock P. M.

Monday January 30th 1826.

Met according to adjournment.

Present The whole board except Alderman Loring.

Rand Spring Street

It appearing to this board that the land taken to widen and extend Spring Street by virtue of the vote of the board of Aldermen, passed on the twenty fourth day of October, last, and said to belong to Benjamin Gray, belongs to Thaile Rand, and the said Thaile having applied for compensation for said land thus taken, it is thereupon ordered, that there be paid to said Thaile Rand, for the purpose of making said Street, thirty feet wide according to a plan of the same taken by S. P. Fuller, Surveyor, the sum of four hundred dollars.

H. of Industry

Order of the Common Council directing that the sum of five thousand dollars be added to the appropriation for the Directors of the House of Industry. Came up for concurrence. Read and Concurred.

H. of Industry.

Communication of the Directors of the House of Industry, praying an appropriation of three thousand dollars to complete the fence round the farm. Read Sent down.

Captain James Morgan, Captain of the Watch and Superintendent of the Camps, died yesterday. Thereupon ordered, that the City Clerk advertize that applications will be received, until monday next, six o'clock P. M. from all persons wishing the above office. Captain of Watch &c.

Application of Elizabeth Ray, to the Judge of Probate, praying that her Guardian may be discharged. Read and referred to Alderman Welsh, to consider and report. Ray

Communication from the Board of Aldermen, giving an account of the state of the Gaol & House of Correction, and the number of prisoners confined therein. Read and committed to the Committee on the Gaol &c. with instructions to consider the expediency of allowing a Salary to the Master of said House, and of the City's providing provisions for the prisoners. Gaol & H. of Correction

Christopher Gore, Chairman of the Columbian Eagle fire society, praying that some badge may be adopted, whereby they may be acknowledged at fires and admitted to the advantages of firemen. Read & committed to the Mayor and Alderman Oliver, with such as the Common Council may join, to consider and report the expediency of admitting the members of this & such other Clubs as may offer into the fire department, and the condition of such admission. Send down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Eames, Grosvenor and Hatch. Gore Col Eagle fire Co.

Order of the Common Council com-

Brunswick

mitting the application of a Committee of the town of Brunswick, in the State of Maine, in behalf of sundry sufferers by fire, in said town, praying relief, to Messrs. Morey, Dorrey and Howe, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor and Alderman Robbins are joined.

Topsham

Application of sundry sufferers by fire in Topsham, in the State of Maine, for relief. Read and committed to the above named Committee, to consider and report.

Sent down for concurrence.

Came up concurred.

Engine No. 6

Application of the members of Engine No. 6, praying, that ten additional members may be attached to said Engine. Read and the prayer thereof granted.

Fire buckets

The committee appointed to ascertain the best terms and contract for a number of fire buckets, reported, that they have contracted with Isaac Dowell, for two hundred pair, at four dollars, and forty cents per pair, to be inspected and delivered on or before the twenty eighth day of February next. Read & accepted.

Davis

New Street

Petition of Joshua Davis, praying, that a street of thirty feet wide, (to include a passage way of six feet wide) may be laid out from Washington street to extend easterly to the dyke, and for that purpose offering as much of his land as the Surveyors of highways may deem right

and proper. (Read and committed to Aldermen Carney and Jackson, to consider and report.

(Order of the Common Council appointing Messrs Waters, Bassett, Isaac Parker and Dyer; with such as the board of Aldermen might join, a committee to consider the expediency of connecting the offices of City Marshal and Health Commissioner; and that said committee have leave to report by ordinance or otherwise. Came up for concurrence. (Read and concurred, and the Mayor and Aldermen Robbins are joined.) City Marshal & Health Comm.

The committee to whom was referred the subject of the late false alarms of the citizens by the ringing of the bells at the north part of the City with authority to see the proprietors of the Churches to which bells are attached, and confer with them upon the subject, in order to prevent a repetition of them: Report, That the committee have seen the respective wardens & standing committees, & came to the following arrangement subject to the approbation of this board; to wit, the said wardens & committees will provide at their own expense each of the front North doors of their buildings, say Christ Church, in Salem street, & the Rev. Mr Parkman's & the Rev. Mr Ware's in Hanover street, with a good & substantial close lock, the Key of which shall be kept at a store adjoining the Church, the keepers of which have been seen & consent to the arrangement, who will unlock the door every night at half past nine o'clock, & lock the same every morning - a neat tin sign to be (Fire false alarms Bells regulated?

placed

placed on the said porch door, designating, where, in case of fire, the keys may be found. In one of the cases above, the person with whom the keys is to be deposited, declines receiving any thing for his trouble, in one other of the cases, the sum of five dollars, per annum is considered as a fair compensation. The other is willing to attend to it, but for such compensation as may be proper, but your Committee recommend that the arrangements be adopted, & such compensation made by the City, to each as may be hereafter considered proportionate to the trouble attending the said service. All which is submitted.

Josiah Marshall
Elenor L. Oliver } Committee

Read and accepted, and thereupon ordered, that the several Committees of the Districts be authorized to make agreements with the several Committees of the different Churches which have Bells, to have places of deposit for the Keys, and to engage persons to attend to the same.

Weld
Atkinson & Pearl Street.

The Committee to whom was referred the application of B. L. Weld Esq. to have a communication opened between Pearl street & Atkinson street, said passage way to commence on Atkinson street in the estate now belonging to said Weld to be continued until it meets a passage now used & owned by T. H. Perkins Esquire and Peter C. Brooks, Esquire, belonging to their respective estates fronting on Pearl street, report, that they have examined the subject, and are of opinion, that it would be for the interest of the City, to have a street laid out, from Atkinson street to Pearl street, nearly in a line of con-

tinuation

lignation of Berry street, to Pearl street and they are of opinion that the proprietors of estates on Pearl street & Atkinson street, will be particularly benefitted, and therefore before the City should lay out said street, it should be first ascertained what the whole expense will be, and what sum those contiguous and those most interested will contribute, and that under no circumstances should the City pay more than six hundred dollars for the projected street, and not any sum of money, unless said street be continued from Pearl street, of the same width as the passage now is, between the houses of Messrs. Perkins and Brooks. J. Bellows

E. H. Robbins, Jun.

Read and accepted.

Petition of Samuel D. Parker, for compensation for damage rendered his estate at the corner of Amherst and West Cedar streets, in consequence of digging down said streets. Read and committed to the Committee on the petition of Jeremiah Evarts, and others, to consider and report. Sent down for concurrence. Came up concurred. Parker Amherst & Cedar sts

Petition of Thomas Welsh, Junior, that a committee may be appointed to consider and award damages for land taken & under Common street. Damage in digging down Pemberton's hill. Read & committed to Aldermen Bellows & Robbins, with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred & the Common Council joined and its part Messrs. Eveleth, Merriam and Samuel Thaxter. Welsh Common st. Pemberton hill

Adjourned to Monday next, six o'Clock, P. M.

Monday February 6th 1826.

Met according to adjournment.

Present— The whole board.

Vigilant fire Co. Petition of the Committee of the Vigilant fire society, offering their services as firemen, in cases in case of fire and praying, that they may be recognized under the fire department. Read and committed to the committee who have under consideration the petition of the Columbian Eagle fire society, to report. Assigned for concurrence. Came up concurred.

Jones Friend & al. Communication from John C. Jones Esquire, relative to widening Friend street, and making a proposition relative to his estate at the bottom of said street. Read and thereupon ordered, that it is inexpedient to take any further order upon the subject at this time.

Jones. Order of the Common Council on the petition of Thomas K. Jones and others, directing a survey to be made of all the marsh and flats lying in and about South Boston bay, from the southern extremity of Front street, as well that part belonging to Individuals as to the City, and also the upland and marsh lying easterly of Washington street to Roxbury upland. Came up for concurrence.

Read and nonconcurred.

Neck lands. Order of the Common Council, directing the sale of ten lots of Neck land, to be surveyed by the committee on Neck lands. Came up for concurrence. Read and nonconcurred.

George Gay, Guardian of Elizabeth Ray, who was adjudged a Spendthrift, in the year 1831, having certified, that in his opinion said Elizabeth has for two years past, conducted as a sober, discreet and prudent person and that he has no doubt, that she is capable of taking charge of her property. Read & Thereupon Ordered, That the consent of this Board, that said Guardian be discharged, be certified to the Judge of Probate. 11. Gay Guard. of Ray.

The following firemen were nominated and appointed for Ward No. 5. viz: Fireman Ward No. 5.

William C. Stimpson, Heman Fay, William T. Waldo,
William H. Burbank, John S. Tyler, Thomas Power,
Samuel G. Simpkins, George Stearns 2d. George Lane,
Horatio N. Willis, John J. Jerome, Eliphalet Jones,
Joseph W. Eliot, Josiah Norcross, John Mellen,
Caleb Whiting, Daniel Brown, John Muzzy,
Charles Hersey, George Stearns, Moses Watson,
Anson Dexter, John Day, John Hammond,
Theodore Dickenson.

The following firemen were nominated and appointed for Ward No. 6. viz: John M. Belcher, Firemen Ward No. 6.

Charles V. Butler, William Dyer, Cornelius Bird,
Francis Kirby, Robert Wade, jun. Joseph Mead,
Henry Gooding, John Wolman, Warren Studley,
Reuben Frost, Nathaniel Fisher, George Shinnon,
G. W. Ward, Joshua R. Stanford, John S. Prince,
Thomas Haviland, Josiah Tilden, Methuah R. Tibbets,
Arthur Scholfield, John J. Soren, Samuel C. Gardiner,
Joseph Lincoln, Caleb Stowell, David Bailey.

Freeman No 11.

Thomas L. Rich was nominated and appointed a fireman of Ward No 11. instead of Pearson H. Field, who has been appointed for Ward No 10.

Engineers.

The application of the committee from several companies of Engineers for an alteration of the present regulations relating to premiums as established in the ordinance of the fire department being considered, it is Resolved, that the alteration proposed is inexpedient, at present, and until experience under the new system shall show its necessity, the fund established by that ordinance, for the benefit of the Engineers, being in the opinion of this Board a just equivalent for the premiums desired to be restored, and it is a mode of encouragement of the members of the fire department, more for the interest of the City, and the efficiency of the general system adopted for protection against fire, than that which is proposed.—

Ordered, that the Mayor transmit five copies of the ordinance establishing the fire department, to each Captain of an Engine company, and one copy to each Engineer.—

Field Neck lands

Remonstrance of Joseph Field and others, against the new plan of Neck lands recently accepted by the City Council, so far as relates to the laying out Suffolk and Norfolk streets. Read and committed to the committee on Neck lands, to consider and report. Sent down for concurrence. Came up concurred.—

Hodges

Petition of Francis Green & Nathan Webb jr. spors, to have an account for Clerk hire allowed. Read and

Committed.

committed to Aldermen Bower and Robbins with such as the Common Council may join to consider and report. Sent down for concurrence. Came up concurred and the Common Council joined on its part, Messrs Baldwin, Wiley and Vose.

The committee of both branches of the City Council to whom was referred the petitions of certain sufferers by fire, in the town of Brunswick, in the town of Topsham in the State of Maine respectfully Report, That in addition to the petitions above mentioned your committee have received petitions from the towns of Wiley, Parkman and Guilford in said State of Maine which accompany their Report, and it is understood that other petitions from sufferers by a like calamity, in other quarters may be expected. The distinguished liberality of the Citizens of Boston, on occasions of this nature is unquestionable, the cause of the number and frequency of these applications; a circumstance, which renders it proper for the City government to consider its own duty, in this respect, not to permit the charity of our fellow citizens to be unduly or unreasonably called upon, particularly in the form of authority and under the sanction of an official act. Taking the number and the nature of these applications into consideration, and also the difficulty of discriminating in a public capacity, between the degrees and real character of claims of this description, your committee are of opinion that the City Council ought to receive its public recommendations of a general contribution, in such a City as Boston, to cases of great and extraordinary calamity, of a character calling for the interposition

of

Brunswick
Topsham
Wiley
Parkman
Guilford

111. of a great community; and that it should leave those which seem of a common or individual character, and such as a reasonable prudence might have guarded against, to be relieved by applications to be made by the sufferers or their agents to such individuals or societies as being in a situation to become acquainted with the circumstances of each case can extend their charity with a suitable discrimination. Your Committee, therefore, not doubting that each of the cases of the respective applicants has claims varying in degree, on the compassion of the charitable and prosperous; and they do not deem that either of application presents a case of that peculiar character in point of nature and extent as to render it proper the City Council should issue a general recommendation for a contribution among all the citizens and religious societies in its behalf. All which is respectfully submitted.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

(Came up concurred.)

Fire Department. (An ordinance to provide for the management and disposition of the funds appropriated to the fire department. Read and passed, in concurrence with the Common Council, with amendments.

(Sent down for concurrence.

(13. Non-concurred in Common Council.

(Adjourned to Thursday next, six o'clock, P. M.

Met according to adjournm.t

Present. The whole board, except Alderman Robbins.

Ordered, That the Mayor, Aldermen Oliver, Loring, and Jackson, be a Committee to examine and report the State of the Gaol. Gaol

Order of the Common Council com- Farnam
mitting the petition of Benj.n Farnam and Benjamin Rand, Adm.rs Wm. Dean
Administrators on the estate of Asahel Dean, Esq. praying, the abatement of eighty seven dollars fifty cents, being the amount of said Dean's tax for personal estate for the year 1825; it being stated that he had not personal property enough at his decease, to pay his debts, to Messrs. Dix, Wales, and Jonathan Hunter with such of the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Welsh and Oliver are joined.

Order of the Common Council com- Campbell
mitting the petition of Andrew Campbell, for additional pay as School master, in the House of Industry to Messrs Loring, Jones and Jenks, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred and Messrs. Loring and Jackson are joined.

Order of the Common Council com- Thompson
mitting the petition of John Thompson and others, praying New Street
that a street may be laid out from Common to Hanover Engine
Street

Ward, and an engine placed in the neighbourhood by Messrs. Morey, Bagnell and Dorr, with such as the board of Aldermen might join, to consider and report. Came up for Concurrence. Read and Concurred, and Aldermen Bellows and Oliver are joined.

Land Sold Green

The committee who were directed to carry the records of the City Council into effect, touching the sale of a lot of land, heretofore purchased of Thomas McClure; give notice, that said lot was sold to John Green, Esq. at forty cents per foot amounting in the whole to seven hundred, fifty five dollars, and twenty two cents.

Fireman Ward No. 3.

Alfred Osgood, was nominated and appointed a fireman in Ward No. 3.

Engineers

The board proceeded to elect and appoint two Engineers of the fire department in place of Messrs. John Harris, Junior and Elias Morton, who declined serving, and Messrs. James Clark and Charles Wells were elected and appointed in their places accordingly.

Sent down for concurrence.

Came up Concurred.

Juvenile Offenders

The committee of the City Council, who were directed to consider and report some practicable plan, by which juvenile offenders of both sexes may be reformed as well as punished, for the commission of petty Crimes, having taken that subject into consideration, ask leave to report, That the subject presented for consideration of this committee by the City Council is one of the most

most interesting and important of all those within the sphere of municipal powers and duties. The provision made at present by our laws and public institutions for the reform and moral and intellectual improvement of children who by reason of the poverty or vices of their parents, are educated to no other business than to beg or subsist for their support, is altogether scanty and inadequate. From this class grow up gradually those who are ultimately destined to be the tenants of our gaols and state prisons; and to diminish its extent is necessarily and obviously one of the most natural suggestions of wise economy, as well as one of the most imperious dictates of social and religious obligation. The interests and duties of society are so apparent in this respect, that your committee deem it proper to forbear any attempt to illustrate or enforce them, and have turned their attention exclusively to the mode in which this desireable object may be effected in this metropolis, and the auspices under which it shall be undertaken and conducted. — Three modes have presented themselves, for consideration as adapted to lay in a proper manner, the foundation of an institution destined to the purposes of reforming juvenile delinquents. —

1st. A society instituted for this object, with funds derived from the subscription of its members, and conducted by agents of its own.

2d. An institution founded by the Commonwealth and supported as a State institution.

3d. An institution predicated on the resources of the City under the direct superintendence of the City Council, and limited to those juvenile delinquents, who from their resi-

dence

H. J. Juvenile Offenders

48. Juvenile Offenders.

dence fall immediately under the superintendence of our municipal obligations. As to a society formed for this purpose, it seemed to your Committee, that it would be an attempt to transfer to voluntary contribution the care and expence of an establishment plainly of a general character and interest. Those prospective provisions which are destined to supply deficiencies, which are inevitable in one of the great classes of society, such as that of the vicious poor; a class which, being inseperable from the condition of humanity, must always exist; it seemed most suitable should be made under under the auspices and supported by the strength of the whole community. Besides an establishment for the reformation of juvenile offenders, is in its nature so intimately connected with the House of Correction, on the one hand, and institutions of the nature of Houshouses on the other, that great advantages in the management of each must result from having all these ~~management~~ establishments under the direct general care and superintendence of the government of the City.

With respect to an institution supported by the Commonwealth as a State institution, your Committee had doubts, whether such an institution would be granted if solicited, from the Legislature, inasmuch as the necessity and importance of it is almost solely felt in great Cities, and they were of opinion, that if established as an institution growing out of our local necessities, it was unquestionable that considering its obvious public benefits it would receive a just share of Legislative patronage and encouragement.

With these general views your Committee come to the conclusion that the institution should originate with the

City

City authorities, and to rest upon the resources of the City, as the best mode to give its efficacy a fair trial and insure its success. In further turning their attention to this subject, your committee found to their great satisfaction that the actual condition of things in this City in relation to its public buildings left nothing more at present requisite in that respect; should the contemplated institution of Juvenile Offenders be undertaken; and that the opportunities for commencing and economically conducting such an establishment was at once the most fortunate and promising. When in the month of June 1823, the then board of Aldermen first established the north gaol house in this City, as a house of Correction; it was done not without considerable difficulty, on account of the objections made by both the Sheriff and Gaoler. The number confined in Gaol had previously averaged at that time about sixty five, and it was thought that the admission of the inmates of the house of Correction would greatly limit the accommodation of the inmates of the gaol. The arrangement was however, submitted to, with great reluctance by both those officers, under apprehensions that a house of Correction would be built at South Boston, to which its inmates would be transferred. It was not then foreseen that the tendency of the house of correction would be so to diminish the inmates of the gaol, as to render the latter, considered with reference to numbers, the least important institution of the two. Yet such is and has been the result. Ever since the establishment of the House of Correction, the inmates of the gaol have diminished and those of the house of correction have increased, so that at present the whole number of the latter is one

Hundred

50. Juvenile Offenders.

hundred and sixty five; about thirty being under age; and the whole number of the former is only thirty exclusive of debtors. The consequences of this practical result is that the repugnance of the Sheriff and Gaoler to establishing the House of Correction in Leverett Street is understood to be in a great measure surmounted, and the advantages of continuing the adult males of that house, as well as the most abandoned adult females in the buildings originally intended for a Gaol in Leverett Street is apparent; inasmuch as this place is admirably adapted for giving every facility for working on stone, not only for the breaking it up for macadamizing, but also for hammering, to which it is soon contemplated to apply the labour of the male inmates. Various advantages for employ and for superintendence are also connected with the location of the House of Correction for adults in Leverett Street. From this state of things it is very apparent that the City is in a condition the most favourable possible; for the effecting the greatest and most important object, connected with the success of all attempts to reform juvenile delinquents, a judicious and partial classification. Many of these juvenile offenders are now inmates of the House of Correction and more would be sent there by the Courts, if the fear of introducing them into the society of old offenders had not induced the Courts to apply other punishments. By making that part of the house of Correction now so called at South Boston a house of reformation, as well as punishment, not only all juvenile offenders might be sent there and committed to the discipline and education established there; but also

Some

even young adults who have been surprised into crimes, might be saved from the contamination of which now usually them, if associated with hardened offenders. The plans and the accommodations of the building at South Boston are adequate, without further expense, to the most satisfactory classification, and the City of Boston thus finds itself in the vigor and practical arrangements of the City Council in a condition to put into operation a systematic provision for the correction, classification and reformation of the vicious part of its population as complete and as promising of success as probably, under any arrangements of society is practicable. With these general views your Committee recommend the following resolutions for the consideration and adoption of the City Council; which are respectfully submitted. By order of the Committee.

Josiah Quincy, Chairman.

Resolved, That so much of the east building at South Boston, which was erected and is or may be fitted as a house of Correction, be appropriated as a House of reformation for juvenile delinquents; under the care of the Directors of the house of Industry, until the further order of the City Council.

Resolved, That a committee of both branches of the City Council be appointed, with full authority to apply to the Legislature of the Commonwealth for such powers and authorities as may be deemed expedient or necessary to carry into effect the design of the City Council in establishing a house for the reformation of juvenile delinquents. Read in the Common Council and the resolves passed, and thereupon ordered, that the same committee be

authorized

authorized to apply to the Legislature for the powers mentioned therein.

Came up for concurrence.

Read and concurred.

Watch & Captain of.

The several petitions and recommendations of the applicants for Captain of the Watch and Superintendent of Lamps were read and Monday next was assigned to come to the choice.—

Adjourned to Monday next six o'clock. P. M.—

Monday February 13th 1826.

Met according to adjournment.

Present The whole board.

Captain of Watch &c.

Flavel Case, was nominated & appointed Captain of the City Watch and Superintendent of Lamps.

Inspectors.

Ordered, That Aldermen Oliver & Jackson be a committee to consider and report what time it is expedient and proper to choose Inspectors.

Gaol

The committee on the concerns of the Gaol in Leverett street, to whom was referred a communication on that subject respectfully reports, in part,— That in their opinion the allowing so many animals to be kept in the Gaol yard, has a tendency to create filth and to injure the purity of the atmosphere in its vicinity, they therefore recommend, that the horse, goat, swine, and poultry be forthwith removed; and that one Cow alone be permitted to be retained in the yard; they also

recommend

recommend, that all the filth and buildings appropriated to the use of those animals be forthwith removed, and that a thorough cleaning of the other parts of the yard, particularly about the kitchen door, be forthwith made. Your Committee also recommend, that the Gaoler be required to visit, personally, at least, as often as twice a week every room in the prison, and inspect, and inquire into its state, and into the reasonable wants and convenience of the prisoners, and debtors. The Committee also recommend, that the tubs be rinsed and lined, at least, twice a week, and that at least once a week, in the winter season, and twice a week in the other months, a tub of hot water and a brush be allowed to each of the debtors rooms, for the purpose of cleaning the floors. If any of the debtors abuse or refuse to make use of the accommodation, that notice be given to the Committee of the Gaol, that such measures may be taken as the case requires. The committee also recommend, that neither the Keeper, nor any of the officers of the prison should be allowed any perquisite or profit in supplying the debtors, or any prisoner, with cider, beer, or any authorized liquor or article of any kind. But that small indulgences which practice has allowed, and which debtors are able to purchase and receive by their friends be still permitted, subject to the control of the officers of the Gaol, until any debtor abuse the privilege, or by misconduct dis entitle himself to the accommodation; in which case, at the discretion of the gaoler, the indulgence be denied, and the case be referred to the Committee on the Gaol. The committee also recommend that occasionally, at least, twice a week, the

debtors

54. debtors should be allowed potatoes with their meat.

The committee are also of opinion that the turnkey is an officer of the prisons, who at all times ought to be in a situation to aid in its protection, and also to accommodate those, who have authority to command prisoners to it; and that therefore the turnkey should not be allowed to sleep, without the walls of the yard; but in case this indulgence be granted to him, it ought only to be, in consideration of his finding, at his own expense a confidential person satisfactory to the gaoler, to take his place, during the night time. Your committee had the satisfaction to find, that the meat given to the prisoners was good, and the bread excellent, and that there was no reasonable complaint on account of quantity. On this whole subject of dieting the prisoners, especially those of the House of Correction, your committee intend as soon as they have opportunity to consider the subject in detail, to make a specific report. By order of the Committee on the Gaol. Josiah Quincy, Chairman

Read and accepted.

Auditor

Paving

Communication from the Auditor of accounts, relative to the money necessary to be raised for the expenditures of the ensuing year. Read and thereupon ordered, that the several committees of districts furnish the amount of money necessary for paving and repairs of streets.—

Watch rules & regulations

Ordered, that the Mayor Aldermen Otis and Robbins, be a committee to consider & report what rules & regulations ought to be adopted in relation to the Watch.

Ordered, That the Mayor, Aldermen Bellows and Oliver, be a committee on the fire department. — Fire depart.

Ordered, that the firemen heretofore chosen for Ward No. 10. be transferred to Ward No. 8. agreeable to their own request, and that Charles Hastings name be substituted for that of Edwin Bryant. Firemen Ward 8.

The following firemen were nominated and appointed for Ward No. 10. viz: Firemen Ward No. 10.

Benjamin F. French,	Joshua Cram,	George W. Thayer,
Robert Treat Paine,	Chas. F. Kupfer, Jr.	John Callamore, Jun.
William Fowle,	Benjamin Mealon,	William Johnson,
Eric Poor,	George M. Gibbons,	Josiah Daniell,
John J. Brown,	~~William Wyman, Jun.~~	Wm. L. Blanchard,
Josiah N. Daniell,	Edward Haynes, Jun.	Nahum Capen,
Oliver Lincoln,	Tilston Cushing,	Wm. Hendricks,
John L. Hubbard,	Artemas Winchester,	Richard H. Dewey

John Kupfer and Jonathan T. Kendall.

The board proceeded to elect and appoint two Engineers of the fire department in place of Messrs. Brewster Raynolds and Thomas P. Curtis, who declined serving, and Messrs. Nathan Viles and Mark Weare were elected and appointed in their place accordingly. Engineers

Sent down for concurrence.

Came up concurred.

Ordered, that the committee on Neck lands, take into consideration the expediency of making sale of any part of the City's lands, lying on the Neck lands

West

west side of Washington Street, and that they lay before the City Council for their consideration, the number of the lots they may think most for the interest of the City to be sold, and the mode, the time and the terms on which such sale shall take place: Sent down for concurrence. Came up concurred.

Jones Brush Hill turnpike

Petition of Thomas K. Jones, and others, for the continuation of Brush Hill turnpike, to meet the southern extremity of Front Street. Read and committed to the Committee of Wark lands, with power to cause such surveys to be made of all the marsh & flats lying in and about South Boston bay, so called, from the southern extremity of Front street, as well that part belonging to individuals as to the City and also the upland, and marsh lying easterly of Washington Street to Roxbury wharf. Sent down for concurrence. Came up concurred.

Report Taxes

The committee to whom was referred the subject of the expediency of applying to the Legislature for authority to assess the taxes on the inhabitants of the City, at an earlier period of the year, than is now provided by law, and also what other measures are necessary in order to enable the City government to realize the taxes more seasonably, respectfully report. That it is not expedient to apply to the Legislature to alter the time for assessing the taxes on the inhabitants of the City. And that in the opinion of the Committee to enable the City government to realize the taxes more

reasonably

seasonably. the number of Ropers should be encreased to five.

Thomas Welsh, Junr per order.

Read and accepted, in the Common Council. Came up for concurrence. Read and concurred, with an amendment to strike out "five" and insert "four". Sent down for concurrence. Came up non concurred, and thereupon ordered, that Messrs. James, Rice and Howe, be a committee to confer with such committee as the board of Aldermen might appoint on their part, relative to the subject matter of difference between the two branches of the City Council. Came up for concurrence. Read and concurred, and Aldermen Carney, Bellows and Oliver are appointed on the part of this board.

Adjourned to Monday next half past Six o'Clock. P. M.

Monday February 20th. 1826.

Met according to adjournment.

Present. The whole board.

On motion of the Mayor, Enginemen.

Ordered, that no person shall be received or returned in any Engine company, who is not of the age of twenty one years; unless the consent of his parent, master or guardian shall be given in writing.

The Mayor reports upon the So. Boston communication of the Superintendent of the burial grounds, dead. relative to burying the dead at South Boston, that the same principles ought to be made applicable to the Citizens

of

of South Boston as are in use in other part of the City on said subject. Read and accepted.

Green street

Ordered, That Aldermen Bellows and Robbins be a committee to consider and report upon the expediency of widening Green street.

North Allen street

Ordered, that Aldermen Welsh & Loring be a committee to consider and report upon establishing the level of the lower part of North Allen street.

Colburn Indenture

The Indentures of apprenticeship, of Elisha Tyler Colburn an apprentice to George Wheelwright be referred to the Mayor to consider and report if there has been a breach of the same.

Old South vote Reservoir

The Mayor communicated a vote of the Proprietors of the Old South Church and society, granting permission to take water from the sheets of the meeting house of said society to fill the reservoir to be placed near the same. Which was read and filed.

Holland Long wharf

Ordered, That the Mayor, Aldermen Welsh and Robbins be a committee, with full powers to settle the lines of the estate with the heirs of John Holland, and the City on the Long wharf.

Assessors

The committee appointed at the last meeting of the Board of Aldermen to consider and report what time it is expedient and proper to choose Assessors, have taken

taken that subject into consideration, and reports That under the Charter of the City "such officers and assistant officers as may be needful" have been elected as early in the months of May, annually, by concurrent vote of both branches as well practicable after the organization of the City government; and the reasons for this, are so obvious, that it is deemed quite unnecessary for the Committee here to enumerate them; it is believed they were among the principal inducements which led to the recent important change in the time of the organization of our municipal government; - Hence your committee feel, that they will only be recommending the carrying into operation some of the important principles of this alteration by the report which they now make, and which is, That the Officers of the City of Boston, should be chosen for the current year, as early in the ensuing months of March as is practicable; and that from and after the current year, the said officers be chosen as early as may be practicable in the month of February, annually, public notice being given in the usual manner to all who may wish to be considered as candidates ten days, at least before the time which may be assigned for the choice. All which is submitted by Henry J. Oliver, in behalf of the committee.

Officers Choice of

Read and accepted, and thereupon

Ordered, That monday the sixth day of March next, be assigned by the Joint Convention for the choice of sworn and assistant officers for the year ensuing, and that the Joint Clerk give ten days public notice that applications for said offices will be received on or before said day. Sent down for concurrence. Came up, concurred, with an amendment. Read & concurred.

Schools. Message of the Mayor, enclosing a report and vote of the School committee on the subject of a plan for the instruction of such children as are excluded from the public schools according to the present regulations and arrangements of those schools and recommending to the City Council to provide funds for the maintenance of one or more instructors for the benefit of those children. Read and committed to Aldermen Bellows, Loring and Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Bassett, Barnard, Torrey, Fenno and Grosvenor.

House of Industry Communication from the Directors of the House of Industry, relative to sewage, to inclose the plan belonging to City connected with said house at South Boston. Read and committed to Aldermen Bellows, Jackson and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Brooks, Tracy, Fox, Aspinwall and Sprague.

City Marshal & Health Com. The committee who were directed to consider the expediency of connecting the offices of City Marshal and Health Commissioner, reported, that it is inexpedient to connect the said offices. Read and accepted. Sent down for concurrence.

Auctioneer. Samuel Eveleth, licensed as an Auctioneer, Liberty Street.

Joseph Bapett was nominated and appointed a fireman of Ward No. 1, in place of Zebediah Thompson who has been chosen to command Engine No. 3. Fireman Ward No. 1.

Adjourned to Monday next half past 5 o'clock, P. M.

Monday, February 27th 1826.

Met according to adjournment.

Present — The whole board.

Petition of Israel Ames, praying that the tax which was assessed upon a piece of land belonging to him, may be paid by the City; which estate he contracted to sell to the City in April last, but owing to some delay in drawing the writings, the deed was not given until the second day of May, last. Read and committed to Aldermen Bellows and Marshall with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up non concurred, Thereupon ordered, that the same be referred to the Com.e on the extension of Faneuil Hall Market &c. Came up for concurrence. Read & concurred. Ames

Petitions of Jonathan Loring, & Seth Shaw, for remuneration for damages said to be sustained by them in consequence of the digging down Pinkney street. Read and committed to the committee who have under consideration the petition of Jeremiah Evarts and others, to consider and report. — Loring Shaw Pinkney St.

Sent down for concurrence.

Came up concurred.

62. Ordered, that Aldermen Carney and
Sheldon Jackson be a committee upon the subject of James Sheldon's
Pleasant St. building on Pleasant Street.

Gray Ordered, that Aldermen Bellows and
Hanover St. Robbins be a committee upon the subject of Robert Gray's
building on Hanover Street.

Engine Communication from Joseph Ridler
No. 13. Captain of Engine No. 13, stating, that by a vote of the
Company, they will surrender said Engine, when a new
Company shall be formed to receive it. Read and com-
mitted to Aldermen Marshall and Oliver with instructions
to engage a new company, and with authority to remove
said Engine from its present location, if they see fit.

Fire department Order of the Common Council ap-
fund pointing Messrs Curtis, Lodge, James, Hastings, Farrar,
Farnsworth and Crowe, with such as the board of Alder-
men might join, a committee to consider and report, as
to the expediency of making any further appropriation in
aid of the fund appropriated for the fire department,
Also as to the management and disposition of said
fund. Came up for concurrence. Read and concur-
red and the Mayor, Aldermen Bellows, Oliver, Young
and Jackson are joined.

Court Street Ordered, that notice be given to the
widening &c. several tenants in the building lately belonging to Peter C.
Brooks Esq. on the southerly corner of Court and Washington
Streets, to quit the premises on or before the first day of June
next, as the building will be removed after said day, for
the purpose of widening Court Street.

Application of Simon Wells, to be licensed to exhibit mechanical experiments &c. at Mr. Tyler's Hall, formerly the Columbian Museum. Read and granted until the further order of this board, upon paying therefor one dollar per night. 63. Wells licensed

Communication from the Auditor of accounts, enclosing an estimate of the amount of money necessary to be raised for the expenditure of the ensuing financial year, which commences on the first day of May next, and closes on the thirtieth day of April, 1825. Read and sent down. Appropriations

After a full hearing of the parties to the Indentures whereby Elisha Tyler Colburn was bound an apprentice with the approbation of the Selectmen of Boston, to George Wheelwright, the board are of opinion that upon the facts disclosed, there is no cause for the interference of this board in relation to said apprentice. Colburn Indentures

Ordered, that Aldermen Welsh & Oliver, with such as the Common Council may join, be a committee to report a statement of facts, and what grant ought to be made, and in what manner to the widow and children of Jonathan Houghton, a Watchman, who was murdered when on duty, in the service of the City. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Barry, Morey and Dorr. Houghton Watchman murdered.

184.

Streets Superin.

Ordered, That the compensation of the Superintendant of Streets, be at the rate of one thousand dollars, per annum.

Fireman Ward No 12.

William H. Montague was nominated and appointed a fireman of Ward No. 12, in place of James Barry, Junr. resigned.

Deer Island.

The committee on the subject of leasing Deer Island, respectfully, report, that they have caused the state of that Island to be examined by Mr. Jackson, the Health Commissioner, whose report is among the papers accompanying this report marked B, and also had repeated interviews with Mr. Spear, the present tenant of the Island, and after great deliberation they are of opinion that it is inexpedient to make any reduction of the present rent which said Spear is by the terms of the lease to pay for said Island, the ensuing year, viz: four hundred and fifty dollars. They are however of opinion, that it may be for the interest of the City in the course of the ensuing Summer season, to contract with Mr. Spear, or some other person, for the building of fifty or a hundred rods of stone wall. The subject however, they recommend to be left for future consideration, and for the present report, that it is inexpedient to take any measures in relation to the present lease of the Islands aforesaid. All which is respectfully submitted, by order of the Committee.

Josiah Quincy, Chairman.

Read and accepted.

Sent down for concurrence.

Came up concurred.

Neck lands

The committee to whom belong the general superintendence and management of the Neck lands, believing it to be their duty at all times to recommend to the City Council such measures as in their judgment the interest of the City requires to be adopted in relation to those lands and being specially instructed on the subject by an order passed, the thirteenth instant, ask leave to report. Your committee have had under consideration the expediency of selling a portion of those lands and after much deliberation they are unanimously of opinion that it will be clearly for the interest of the City to dispose of said lands as fast as there is a demand for them; they would by no means recommend a forced sale, but they do believe that frequent sales at auction would be promptly met at fair prices by the growing wants of the community. Your committee are unable to perceive any sufficient reason why the City should continue to keep possession of a body of several hundred acres of land at any time, or under any circumstances, especially when there is a great and continual demand for building lots. It is the policy of every State, community or City, that studies its true interests, to increase its power and resources by increasing its population and taxable property; and nothing tends so much to produce this effect as a readiness to dispose of its lands, whenever they are wanted and at reasonable prices, purchasers are willing to give. Why should our City adopt the policy of some despotic Sovereigns, who hold in their possession as their own domains large tracts of uncultivated and uninhabited territory, or of certain

grasping

61. grasping individuals, or more grasping companies, who
Neck lands buy up large quantities of land on speculation, and
hold on; for an extravagant price from year to year,
until "the purchase money at compound interest would
cover the whole surface with a thick layer of gold."
It is believed that the City wants no lands, except such
moderate parcels, as are convenient and suitable for orna-
ment or use. The difference in value and prosperity re-
sulting from ownership by the City, or by individuals must
be apparent to every one. Whoever will take a glance
at the Neck lands will see that where the City's line
begins, there is an end, comparatively speaking of hon-
est labor, wealth, industry and taxable property. Can it be
advisable for the City to keep its lands for posterity. Your
committee are of opinion, that posterity will have no
right to complain, that the present generation has not
faithfully, & wisely & very liberally spent its resources to-
wards those permanent improvements, which will extend
to their benefit, and it is also believed, that no measure
we can adopt, will give them so much reason to rise
up and bless our labours, as covering this large tract of
territory with a prosperous and stable population.—
In looking over the town records, relating to the Neck
lands, your committee find, that so early as the year
1645, those lands were recognized and regulated as
town property; from that ancient date down to about
the year 1818, the principal part of said lands lay open
for a "Cow Common," free for all who chose to use it as
such: In 1785, the town granted to John Wise and
others, a parcel of said lands extending southerly from the

old

old fortification, where the green stores now stand, four hundred feet, on each side of Washington Street, and containing about sixty acres, without any consideration, except that of maintaining a sea wall on each side of said street, and yet it is presumed no one would contend that this was not a good bargain for the town, for on this plot have been erected about seventy houses and stores, which are now valued by your assessors at more than one hundred and seventy thousand dollars, and taxed accordingly. In 1802, the town sold at auction sixteen house lots, containing 122,880 square feet, for fifteen thousand six hundred and ninety seven dollars, averaging 12½ cents per foot, which at simple interest would amount to more than fifty cents per foot at the present time; to say nothing of the amount received for taxes for the same. In November last, the City sold ten lots, containing 62,540 feet, the average price of which was about 33½ cents per foot, and this sale gave universal satisfaction. It will thus be easily seen, that the rise of said lands, for the last twenty three years has by no means been equal to six per cent:— The experience of the last twenty three years, and even of the last forty years, goes, then to prove, that every sale has been a good one; With the experience of so many years in favour of the course pursued, your Committee feel safe in recommending frequent sales, nor can they discern that the value of these lands is likely to be suddenly enhanced by any of the various contemplated projects of improvement. In the opinion of your committee no plan or project, which has not been started, would add so much to the value of

these

65. Neck lands.

these lands as frequent sales. That a demand for said lands for building lots existed at the sale in November last, was quite apparent; twenty or thirty lots could have been readily sold at that time, many persons who attended that sale with an intention to purchase were disappointed in consequence of the limited number of lots offered. At this last sale, it should be remembered that the City met upwards of twenty one thousand dollars, upon interest, for a plot of ground which never before brought a farthing into the treasury, and which with the improvements about to be made upon it will be valued at double that amount in the tax book. With these views your committee recommend the passage of the following order. All which is respectfully submitted for the Committee. D. Carney, Chairman.

Ordered, that the committee on Neck lands be authorized to select not exceeding twenty five lots on Washington street, or on any street on either side of Washington street, fifty feet in width from such parts of the said Neck lands as they may judge will best promote the interest of the City; & cause the same to be sold at auction, in the month of April, next; on such conditions as the said Committee may deem most advantageous for the City; the same to be advertized a suitable time prior to the sale; and said lots to be staked out on the street or streets, upon which they may be selected, to be determined by placing permanent bound marks thereon, previous to the sale thereof.

Read and accepted, and the order passed.

Sent down for concurrence.

Came up concurred.

The committees of the several districts exhibited their several estimates of Drawing in their respective districts, amounting in the whole to twenty eight thousand five hundred and fifty three dollars. Read and filed. 69. Drawing.

Notice from Thomas Tilden, that he is about building a Church on Green street. Read. Whereupon Resolved, that the whole board will meet in said street, near the head of Pitts street on Wednesday morning, next, at nine o'clock, for the purpose of considering the expediency of widening Green street, and that said Tilden be notified thereof. Tilden Green st.

Adjourned to that time and place accordingly.

Wednesday March 1st 1826.

Met according to adjournment.

Present, The Mayor, Aldermen Marshall, Oliver, Loring and Jackson.

The board proceeded to view Green street, in company with S. P. Fuller, Surveyor, and Thomas Tilden who attended agreeable to summons, whereupon, resolved, that the safety, and convenience of the Inhabitants of the City require, that Green street, should be widened, by taking a strip of land, bounded as follows, viz: beginning at the northerly corner of the house occupied by Lawson Valentine, on the southerly side of said street, and running northwesterly on the line of said street, seventy four feet, eight inches to the easterly corner of the house belonging to William W. Mellen; then running southwesterly on the front of said house, five feet, nine inches; thence running southeasterly Green street

about

70. about seventy five feet, to the northwesterly side of said Valentine's house; thence running northeasterly, five feet, eleven inches to the bounds of beginning, containing four hundred and thirty eight square feet of land, agreeable to a plan of J. P. Fuller, Surveyor, dated August 1st. 1825 that said Street is widened and laid out accordingly.

North Allen Street

The board in company with J. P. Fuller, the Surveyor proceeded to North Allen street, and determined the levels of the same as follows, viz: At Chamber street to be 2 88/100 feet below the top of the street foundation of the Twelfth Congregational Church, thence northerly side of ~~said~~ A. W. Thaxter's brick house to be 7 90/100 feet, at the east side of Wm. Metcalf's 11 82/100 feet at the intersection of Bloom street to be 15 23/100 feet, at the lamb post at the intersection of North Allen ~~street~~ and Brighton street to be 22 36/100 feet below the top of said foundation, which last point is seven feet below the top of the foundation of the brick houses at the corner of the passage leading to Fuller street.

Adjourned to Monday next half past six o'clock P. M.

Monday March 6th. 1826.

Met according to adjournment.

Present. The whole board except Alderman Loring.

Hardshorn

Application of Preston Hardshorn, to be appointed a funeral undertaker. Read and referred to the Superintendent of burial grounds to consider and report.

Petition of William B. White & 71.
George H. Gibbens, praying, that Eighth Street, at South Boston, may be laid out, commencing on Dorchester Street, by the boundary stone, across Old Harbour Street. Read and committed to Aldermen Carney and Jackson, to consider and report. White Eighth St

Communication of George Domett, stating, that he is about building on Washington Street, between Marlboro' Hotel and the estate owned by John Parker. Read and committed to the Mayor, Aldermen Bellows and Welsh, to consider and report. Domett Washington St

The committee appointed by this board to confer with the committee of the Common Council relative to the subject matter of difference between the two boards, upon the appointing of Appraisers, reported, that the conferees met, and freely conferred together, but could not agree, the committee therefore recommend that this board adhere to its former vote. Accepted and ordered accordingly. Appraisers B. Com. of. Conference

Ordered, That the Mayor, Aldermen Bellows and Jackson, with such as the Common Council may join, be a committee, to ascertain on what terms, and at what expense the Gun House on the Common in the vicinity of Boylston Street may be removed, and to select a suitable place and extent of land, for a new location of the same and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Governor, Tracy, Adams, and Merian. Gun House Common

12.

Slack

Petition of Ruggles Slack, and others praying, that they may use the Ward rooms of Ward No. 12, for a place of public Worship, until they shall be enabled to build a Church. Read and committed to Aldermen Carney and Jackson, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Rice, Brewer and Jonathan Thaxter.

Heard
Court street

Ordered, that Aldermen Bellows, Welsh and Robbins, with such as the Common Council may join, be a committee with full power, to agree with John Heard, Junior, Esq. upon the price, that he shall pay to the City, for a strip of land in Court street, in front of his land. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Curtis, Hallett, Tracey and Brewer.

Foster
Fourth st.

Petition of John S. Foster, praying that an exchange of land with the City may be made by which the old road leading to the House of Industry may be closed, by bringing forward the line of lots lately owned by Messrs. Whittemore and Clark to the south side of Fourth street, and to assign in exchange a quantity of land adjoining the Hawes burying ground for a school lot. Read and committed to the Mayor, Aldermen Carney and Jackson, with such as the Common Council may join, to consider and report, and that said Committee be also instructed to enquire into the rights of the City to a lot which was to be set off

to

to Boston; for a School House Lot, and also a Lot for a Market Place, by the terms of the second Section of the act annexing the north east part of the town of Dorchester to Boston, passed March 6. 1804, and ordered Sent down for Concurrance. Came up Concurred, and the Common Council joined on its part. Majr Morse, Jose; William Parker and Bent. — 53.

The committee who were directed to take into consideration the proposal of James Boyd, for furnishing the City with one hundred pair of rivetted fire buckets, report; That from the best information they can obtain, there are several objections to the rivetted buckets, some of which the committee will state; they are heavier; the rivets will corrode and injure the leather, and they are not so easily repaired; That the buckets to be furnished the firemen, in the several wards, ought in the opinion of your committee to be as nearly alike as possible to prevent any dissatisfaction among the firemen. The committee have received from said Boyd his lowest terms, for rivetted buckets, which is four dollars and twenty five Cents, per pair, and the buckets could not be delivered before the twentieth day of May, next; the highest price for the sewed buckets is four dollars & fifty Cents. Your committee therefore do not think it expedient to recommend the rivetted buckets to be distributed among the firemen, now formed in the several wards. By order of the Committee

D. Carney.

Read and accepted. Boyd five buckets

Welsh
Common St.
Pemberton's hill

The committee appointed to take into consideration the petition of Thomas Welsh Junior, Esq. Report, That in the opinion of your committee, the S.d Welsh is entitled to the sum of three hundred dollars in damages, which he has sustained in the taking to the City's use about feet of land, to widen the street on Pemberton's hill. Your committee beg leave to suggest, that this is but the commencement of improvement in this very important avenue, leading to the centre of our City, and it is the opinion of your committee, that the entire estate of the said Welsh may be purchased at this time, at a reasonable price, and if so, its tendency would be to diminish the damages sustained by others, in the progress of this improvement. Your committee therefore respectfully recommend to the City Council, that the sum of three thousand, three hundred dollars, be offered to the said Welsh for the entire estate alluded to, and if accepted by him, that the Mayor be authorized to carry the contract into complete effect.—

By order of the committee J. Bellows.

Read and accepted. Sent down for concurrence.

Came up concurred.—

Whitney
Sister St.

The committee to whom the petition of William Whitney, and others, complaining of the danger from fire arising from a certain Carpenter's shop in Sister street, having considered that subject, respectfully report, That the evil above made the subject of complaint is of a very general nature, there being scarcely any quarter of the City, which is not in some degree

exposed

exposed to fire from Canvas and Buildings similar to that specified in said Petition. Your Committee are of opinion therefore, that evil should be provided for by a general Ordinance; and they recommend for this purpose, that said petition and the whole subject connected with it, should be referred to the Committee of the City Council, on the subject of the revision of the by laws, with instructions to report an ordinance containing provisions calculated as far as practicable and within the powers of the City Council, to remedy the evil complained of, for its consideration. All which is respectfully submitted by order of the Committee.

Josiah Quincy, Chairman.

Read and accepted and ordered accordingly. Sent down for concurrence. Came up concurred. —

Mayor's Message of Washington.

Gentlemen of the City Council,

I have received from John Lowell, Esquire, Chairman of the Committee of the trustees of the Washington Monument Association the accompanying letter and vote, stating, that in the opinion of that Committee, the center Hall of the second story of the New Market House would be a very suitable place for locating the Statue of Washington, now executing in Europe by Chantry, under the authority of that association, and requesting me to ascertain the opinion & wishes of the City Council, on the subject. It will not be necessary for me to remark to the City Council how much additional interest will be given to that Hall, by the selection of it for such a purpose; nor how

16. how grateful it will be to the City of Boston, should its City Council be chosen as the future guardians of this noble monument of the gratitude of our fellow-citizens for the services of the greatest of our Revolutionary heroes and patriots. It will only remain for the City Council to consider, whether the appropriation of the Hall, which may be necessary for such an object will interfere with any other, and more important use of it, & to take care, should the privilege be granted, that the terms and conditions of the grant be such as shall comport with the interest and dignity of the City. For this purpose I recommend that the subject be referred to a committee of both branches of the City Council, for consideration, and report. Josiah Quincy.

Read and committed to the Mayor, Aldermen Carney, Welsh, Oliver and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Peabody, Brooks, Rice, Sprague, Dyer, Clark and Aspinwall.

South Market Sheds

The committee to whom was referred the consideration of the expediency of digging a well in South Market street, and also of making a Reservoir in that street, reasons the City Council to discharge them from the further consideration of the subject, as the committee for the extension of the Faneuil Hall Market is in the opinion of this committee more competent to decide on the expediency of these two measures. —

Thomas Welsh, Jun. for com.

Read

Read and accepted, and thereupon ordered, that the same be referred to the committee on the extension of Faneuil Hall market, with full power to carry the same into effect, if they shall be of opinion that the same ought to be granted. Sent down for concurrence. 77.

Came up concurred.

The committee to whom was referred the subject of the expediency of removing from the surface of the Mill Creek beginning where the old mills stood and extending to the end of North Market street so much of the same as will serve as a reservoir, retaining at all times one foot of water in depth in said Creek prayed leave to be discharged from the further consideration of it, as they are of opinion that the Health department is more competent to decide the expediency of making the proposed alteration in the Mill Creek. Mill Creek

Tho. Welsh, Jr.

Read and accepted, and thereupon ordered, that the same be referred to the board of Aldermen Sent down for Concurrence.

Came up concurred.

The committee of the City Council, to whom was referred the petition of Daniel Mcpenger and others for a ward room in Ward No. 10. have attended to that duty and ask leave to Report, Mcpenger Ward No. 10.

That the inhabitants of said Ward are destitute of a suitable place to hold their meetings, and great inconvenience is experienced in consequence, your committee

therefore

78. Therefore recommend, that an addition be made to the Mason street School house, by the addition of a projection from the South side for an entrance and stair way to the School room, whereby, not only the Inhabitants of the Ward will be accommodated with a ward room, but the School room will also be greatly improved in regard to light and air, and convenience; the expence of which is estimated at four thousand dollars.

By order of the Committee — E. Carver, Chairman

Read and accepted. Sent down for concurrence.

Came up concurred, with an amendment at (a) insert "of mother story, and." Read and concurred.

Greenleaf. Eastern Lands

The committee to whom was referred the petition of Moses Greenleaf, to purchase a part or the whole of a township of land belonging to the City, situated in the State of Maine; being township No. 6, south range, have sought information as to the value and situation of said township, beg leave to report; That township is situated about fifteen miles from the Piscataquis River, has suffered materially by recent fires, by which the growth has been entirely destroyed. Obligation to obtain settlers has been extended for four years by a recent act of the Legislature. Your committee are unanimous of opinion, That said township should not be sold to said Moses Greenleaf, or any other individual, in any other manner than by public sale. Your committee recommend, That this township should be sold at public auction, in Boston, at Merchants' Hall, under the direction of a special committee for that purpose. That said committee instruct their agent Thomas A. Hill, Esq. of Bangor to

advertise

advertize said township in all the newspapers in the County of Penobscot, and also in the Portland papers, at least sixty days previous to the sale, as well as in all the papers in which the City are accustomed to publish. (By order, Josiah Marshall.

Read and accepted. Sent down for concurrence.

Came up concurred, & thereupon ordered, that the same com.ee be authorized to carry said report into effect. Came up for concurrence. Read and concurred.

An ordinance for the regulation of horses and carriages within the City of Boston. Horses & Carriages

Read and passed. Sent down for concurrence.

Came up concurred, as taken into a new draft. Read & concurred.

Petition of Jefferson Clark, and others, praying, that some alteration may be made in Cooper Street, and that a side walk may be constructed, in order to accommodate the voters of Ward No. 3, who pass through said Street to the Ward, situated on a corner of the same. Read and thereupon resolved, that the whole board will attend to morrow, morning, nine o'clock on said street, for the purpose of examining into the state of the same. Clark Cooper St.

Resolved, that the whole board do meet in Hanover Street, near the head of Elm Street, for the purpose of considering the expediency of widening the same, by taking a piece of land belonging to John Gray, for that purpose; Mr. Gray being present agrees to take no fee.... Gray Hanover St.

Adjourned, to meet in Hanover Street, tomorrow morning nine o'clock.

Wednesday March 8th 1826.

Met according to adjournment.

Present. The Mayor. Aldermen Welsh, Oliver and Parkman.

No quorum. There not being a sufficient number present to form a quorum.

Adjourned to half past six o'clock, tomorrow evening.

Thursday March 9th 1826.

Met according to adjournment.

Present. The whole board.

Field Plan of Neck Lands. The committee to whom was referred the remonstrance of Joseph Field, and others against a plan of the Neck lands, adopted by the City Council, on the twenty fourth day of October A.D. 1825, have had the same under consideration, and ask leave to report. Your committee on an examination of the records of the town of Boston, find, that in March 1801, a plan of the Neck lands having been returned by Charles Bulfinch, Esq. Chairman of the Selectmen, and by the town accepted. This appears to be the first plan that was ever drawn and adopted, of the Neck lands. On this plan, these lands are divided into streets and lots. The streets are regular and drawn at right angles: names are given to them and marked on the plan. One set of streets runs parallel to Washington street, and the other are cross streets, running at right angles to the former. The street on the northeast side of Washington street, and parallel to it, is called Suffolk street, the corresponding street on the southeast side of Washington street, is called

Roxbury

Norfolk Street. Each of these streets is three hundred feet from Washington street, are three hundred feet abast. That is, the lots between the several streets in this set, are each three hundred feet in depth. By the said Plan a large Space is left one half on the northwest side of Washington street, and other half on the south east side; which Space is sometimes called the Mall, sometimes the Public Square, and in the record of the doings of the town; in 1801, when said Plan was adopted, it is denominated "A large circular place." It is of an elliptical form; and is divided in the middle by Washington street, and extends on one side the whole depth of the lot, three hundred feet to Suffolk street; and on the other the whole depth of the lot, three hundred feet to Norfolk street. In the aforesaid records of the town of 1801, it is stated, that on said Plan "a large circular place is left, to be ornamented with trees, which will add to the beauty of the town at large, and be particularly advantageous to the Inhabitants of this part." Soon after the adoption of this Plan, viz. in 1802, sixteen house lots were sold, which was one of the three principal Sales or dispositions of Neck Lands, that have been made, and was a very advantageous sale for the town; several of these lots were sold to the remonstrants or to persons under whom they claim; some of these lots were bounded on said circular place; and others were situated near it. One of the conditions of the sale was, that said Circular place should always be kept open, in the deeds from the town to the purchasers, there is a stipulation to that effect. This circular place was fenced in, and trees were set out at the northwest side next to

Suffolk

Field Plan of Neck Lands.

82.

Vill.

Plan of Park Lands.

Suffolk street, and in other hands. During the last municipal year an order of the City Council was passed, directing a survey of the Park lands, and a new plan to be drawn of the same. A survey was accordingly made by Mr. S. P. Fuller, and a plan drawn by him which on or about the 24th of October last was adopted by the City Council. By this new plan the streets running parallel to Washington street, on each side are drawn two hundred feet apart instead of three hundred as on the former plan; that is, the lots are laid down two hundred feet in depth instead of three hundred. The effect of this new plan is to carry Suffolk street on the one side, and Norfolk street on the other each about one hundred feet nearer to Washington street, & of course, to cut off about one hundred feet from each side or end of the above described Circular Place. Of this the Remonstrants complain, and they contend, that if this new plan is carried into execution their rights will be affected, the public faith, on which they relied, and the conditions and stipulations made by the town in their deeds will be violated. They represent also, that they and the first purchasers were induced to give a much higher price for said lots from their belief and the stipulation of the town that said Circular plan would always be kept open to its original extent as it was laid down on said first plan. It appears also, that the Remonstrants had no knowledge of said new plan until after its adoption. The Remonstrants also have pointed out to your Committee the following additional difficulties which will arise in the adoption of said new plan viz: Towards the southerly extremity of the Park lands on the west side of Washington street the City have sold to

2 rows

Field, Plan of Neck Lands.

Levis A. Laurial, a lot, three hundred feet deep, to Suffolk street, as it is laid down on the old plan, so that when Suffolk street shall be made according to the new plan it must run through said lot sold to Laurial. Beyond the southerly extremity of the Neck Lands and between them and the Roxbury line, there is a considerable tract of land, belonging to William Payne, and others, on which a road has been marked out, running on a direct line from Dr. Porter's meeting house in Roxbury, to meet Suffolk street, and on the line of said Payne, and others. The road or street has been marked out, and rounded up in contemplation of making a new avenue into the City in this direction; and some arrangements and exchanges of lands have heretofore taken place between the City and said Payne and others, with reference to said Suffolk street, as it was originally located according to said old plan. This project which would be beneficial to the City and increase the value of its lands, will be affected injuriously by the new plan as it turns Suffolk street one hundred feet nearer to Washington street, and too near to meet the contemplated Avenue. Further it is represented that towards the north erly extremity of the Neck lands where Suffolk street runs by the store of John D. Williams, and along the grant made to John Mann and others, down to the new brick school house, there remains on the old plan, between Suffolk street and the lands so granted, a sufficient strip of land for a row of valuable building lots; but by carrying the said street one hundred feet towards Washington street as in the new plan, a very narrow strip remains which will be rendered of little or no value. It further appears that

84.

Field Plan of Neck Lands.

on the south east side of Washington street, a burying ground has been located, extending from Washington street, three hundred feet, being the whole depth of the lot to Norfolk street, as it was laid down on the old plan, and if that street is made and carried through as it is drawn on the new plan, it will cut off, one hundred feet of said burying ground. The foregoing are the principal reasons which have been offered against the adoption of the new plan, and it will be perceived that they apply to that part only which embraces Suffolk and Norfolk streets, and their respective distances from Washington street. The principal argument which has been stated in favour of the new plan is, that the Neck lands will sell for more money, being divided into lots of two hundred feet in depth, than they would, being divided by the streets into lots of three hundred feet deep. In consideration of all the difficulties, obstacles and objections before mentioned, which attend to grow out of the adoption of the new plan, as to a part of it, your committee are of opinion that it is expedient to restore the old plan so far as it regards the said two streets on each side of Washington street, and to continue and confirm the new plan as to all the residue of the neck lands, where no sales or arrangements having yet taken place no difficulties can arise, nor obstacles exist, to the carrying the same into effect. Your committee conclude, that Mr. Fuller can very easily, and at a small expense, from the minutes of his surveys and admeasurements, draw a new plan, and it is found that such expense must necessarily soon be incurred, inasmuch as the plan adopted last October, being drawn upon poor paper, is already very

much

much worn and broken. With these views your committee recommend to the City Council the adoption of the sub joined order. All which is respectfully submitted, for the Committee. Wm. Parmey, Chairman.

Ordered, That the committee on Neck lands, be authorized and directed, to employ Wm. S. P. Fuller, to draw a new plan of the neck lands, in which he shall adopt the principles of the Plan of 1801, so far as it regards Washington street, and Suffolk and Norfolk streets, and their respective distances from Washington street, and the depths of the lots between each and Washington street, and the principles of the plan of October A. 1823, as to all the residue of the Neck lands and that they cause said new plan to be drawn upon the best materials and in the most substantial manner and well secured by a frame.

Read and not accepted; and thereupon ordered, that the same be referred to Aldermen Welsh, Loring and Robbins, with such as the Common Council may join, with instructions to consider the propriety of adhering to the plan as adopted by the Selectmen of Boston in March 1801, and report. Sent down for concurrence.

Non concurred in the Common Council, and the order passed. Vide folio 112, 2d Com. of Conference. Mun. rep. fol. 156

Ordered, That the sum of eighteen hundred dollars be added to the appropriation for Lamps Oil and Superintendence, and that the sum of eight hundred and sixty dollars, be withdrawn from the appropriation for instalments of the City and County debt, and that the sum of nine hundred and forty dollars be withdrawn

Appropriation Lamps, Oil &c. Neath. deduction

from

from the appropriation for the City Watch." Also that the sum of one thousand dollars be added to the appropriation for the Fire and Health department, and that the same amount be withdrawn from the appropriation for the Female High School.

Came up for concurrence.

Read and concurred.

Appropriation for H. of Industry.

Ordered, that the further sum of three thousand dollars be appropriated for the completion of the stone side fence round the farm belonging to the House of Industry, at South Boston.

Came up for concurrence.

Read and concurred.

Tucker & Firewards relative to Exp. of Engines

The Mayor laid before the board, a copy of a resolve signed by James Pierce, Secretary of a meeting of the Masters and Representatives of the several Engine Companies, received by him this day; He also communicated a letter from William Tucker, Esq. one of the Firewards of the City, stating the conduct of certain Captains of Engines at the late fire; dated this day. Which being read and considered, the following resolve was passed unanimously; —

"Whereas this board have received a communication signed James Pierce, Secretary of a meeting of the Masters & Representatives of the several Engine companies, held on friday evening last containing a resolve passed at said meeting importing, that the persons present at that meeting do not consider the company attached to Engine No. 11, as a regular company, and that they will not associate with them as such" — And whereas a communication has been received, from William Tucker, Esq. one of the Firewards of the City,

stating

stating the extreme disorganizing and disorderly conduct of some of the Captains of the Engine Companies therein mentioned during the fire of the last night; Therefore;

Resolved, That the Mayor address a letter to Capt. James Pierce, and transmit to him an attested copy of the letter of William Tucker, Esq. and request him to call a meeting of the Captains of the said Engines, and to communicate to them the said Tucker's letter; and that he further request the said Pierce to obtain from the said Captains, an answer to the following questions. 1st. Whether by the terms contained in their said resolve "that they will not consider the Company attached to Engine No. 11, as a regular Company, and that they will not cooperate with them as such" this board are to understand, that it is the intention of said Captains to refuse all co operation with that Company, in case of fires. 2nd. Whether the course of proceedings stated in the letter of William Tucker, Esq. have, or have not, the countenance and approbation of those Captains. And that the Mayor request the said Pierce to transmit to this board the names of all the Captains, who thus refuse to co operate with the said Company of Engine No. 11, and who countenance and approve the course of proceedings complained of in the letter of the said Tucker.

Ordered, That Aldermen Welsh, Loring, Rogers be a committee to take into consideration the subject of dem. Deacon St. ages to the heirs of Daniel D. Rogers, Esq. for land to widen Deacon street.

Benjamin Tucker was nominated and Auctioneer appointed an Auctioneer in Tudors buildings.

Williams Washington St.

Ordered, That Aldermen Carney and Jackson be a committee to take into consideration the subject of Thomas Williams' building on Washington Street, take the width, estate, and to consider the propriety of widening said street at that place.

Harrington Winter St.

Ordered, That Aldermen Welsh and Loring be a committee to take into consideration the subject of Ephraim Harrington's building on Winter Street, and to consider the propriety of widening said street at that place.

Butterman State St. & Merchants Row.

Communication from W. G. Butterman stating that they are about building at the corner of State Street & Merchants Row. Read and committed to the Mayor to consider and report.

Salt water

Ordered, That the committee on the fire department be directed to inquire into the various sources of salt water in the City, which can be used in cases of fire and what would be the probable cost of attaining the same.

Brookes Court Street.

Communication from P. C. Brookes, Esq. praying, that the level of Court Street may be determined. Read and committed to Aldermen Welsh and Loring, to consider and report.

Hanover Street.

Ordered, That the several owners of the estates on the westerly side of Hanover Street, commencing at or near the head of Elm Street and running to Friend Street be notified, that this board will meet in said street, on Friday next, ten o'clock A. M. for the purpose of considering the necessity or expediency of widening said street & taking into the same a part of their land. Of which they will take notice & govern themselves accordingly.

The committee on the communication of George Domett, report, that it is expedient for the Board to take into consideration the subject of taking a part of said Dometts land, for the purpose of widening Washington Street. Domett Washington St.

Read and accepted, and thereupon ordered, that the Board will meet on the premises on Monday next, half past nine o'Clock A.M. for that purpose and that notice be accordingly given to said Domett.

Resolved, that the safety and convenience of the Inhabitants of the City require that Hanover Street, obtside the head of Elm street, should be widened, and the same is laid out and widened according to, viz: beginning at the northeasterly corner of John Gray's brick house on the westerly side of said street, obtside the head of Elm street, and running westerly, four feet eight inches on the northern side of said house; then running northerly about forty seven feet six inches, to land of the heirs of John Wordman, then running east erly seven feet eight inches to the present line of Hanover Street; then running southerly forty seven feet, six inches, to the place of beginning, containing three hundred and twenty four square feet of said Gray's land, according to a plan of the same taken by J. P. Fuller, Surveyor dated March 1st 1826. Said Gray was duly notified and present. Gray Hanover St.

Resolved, that the safety and convenience of the Inhabitants of the City require, that a piece of land belonging to Elisha Penniman, situated on Washington Street, should be taken to widen said street, Penniman Washington St.

according

according to a vote of this board, of the twenty first day of June, last, and the said street is laid out & ordered accordingly, said piece of land taken is bounded as follows viz: beginning at the southeasterly corner of the stores belonging to E. H. Robbins, Jun: thence running southerly about twenty one feet, eight inches to a passage way; thence running easterly seven feet, six inches; thence running northerly twenty one feet eight inches, on the present line of said street; thence running westerly five feet six inches on the northerly wall of said Penniman's building to the point of beginning, containing one hundred forty one and ten twelfths square feet according to plan of the same taken by A. D. Fuller Surveyor, dated June 8th 1825, and that that part of the building of said Penniman, which stands on said land, should be removed; and that he be notified, that the board will proceed to his estate on Monday next, nine o'clock A. M. for the purpose of taking said land, to widen said street, and to give order for removing that part of his building which stands on said land.

Adjourned to Monday next, nine o'clock A. M.

Monday March 13th 1826.

Met according to adjournment.

Present. The whole board.

Penniman, Washington St

The board met this morning in Washington street, agreeable to the resolve of the board at the last meeting. And it appears that Elisha Penniman has been duly notified, and he accordingly appeared on the premises.

Thereupon

Thereupon resolved, that the safety and convenience of the Inhabitants require that said Street should be widened by taking a part of said Penniman's land, as described in the proceedings of this board at the last meeting, and the same is laid out and widened accordingly.

The board then proceeded in pursuance of the land in possession of George Domett, on the westerly side of said Street, nearly opposite the head of Franklin Street; and it appears that said Domett has been duly notified according to the order of the board at the last meeting, he accordingly attended on the premises thereupon resolved, that the safety and convenience of the Inhabitants require that said Street should be widened, and the same is laid out and widened accordingly, as follows viz: beginning at a point one foot, two inches westerly of the northeasterly corner of the Mailboat Hotel running northerly thirty four feet to a point, four feet, four feet eight inches distant from the southerly corner of Franklin and Washington Streets, then making a small bend, and running on a line to the southeasterly corner of stores belonging to E. H. Robbins, Esq. measuring thereon thirty six feet, seven inches to land of John Parker, then easterly on said Parkers land one foot six inches to the present line of Washington Street, then southerly seventy feet, seven inches on said line last mentioned, then westerly on land of Alexander Townsend, four feet to the point of beginning. Containing one hundred ninety three feet, and three quarters, square feet of land in possession of said Domett, according to a plan of part of Washington Street taken by S. P. Fuller, dated April 8. 1825.

Domett

Washington St.

Hanover street.

The Board then proceeded to Hanover street, and it appears that the several owners of the estates there have been duly notified agreeable to an order of the last meeting of the board, accordingly Messrs. John Gray, Isaac Atkins, Theodore Dexter, Thomas A. Bordman and Henry Lincoln, appeared and after a hearing of the parties and mature deliberation thereon it was Resolved, That the safety and convenience of the Inhabitants require that said street should be widened, and the same is laid out and widened accordingly. Viz: Beginning at a point on Portland street, forty feet distant from the southerly side of Hanover street, measuring at right angles across the same; Then running northerly about one hundred and fifty nine feet ten inches in a line to a point on the southerly side of Friend street, five feet eight inches westerly from the north easterly corner of Henry Lincoln's house standing on the corner of said street; Then easterly seven feet, four inches, to the present line of Hanover street; Thence southerly by the present line of the same street, one hundred and fifty nine feet ten inches, to Portland street; Then westerly on the same street six feet, six inches to the point of beginning taking five hundred and fifty feet of the land belonging to the heirs of Dr. Thomas Kast, deceased; one hundred and fifty six feet, belonging to the heirs of Eliz.ª Gray; one hundred and forty one feet belonging to Dr. Theodore Dexter, according to a plan of part of Hanover street, taken by J. S. Fuller dated March 1. 1826.

550

Franklin & Washington St.

Ordered, That the projection under the Bow windows at the southerly corner of Franklin and Washington streets be removed.

Adjourned to half past Six o'clock, this even-
ing, when the Board met according to adjournment.

Communication from Andrew J. Allen, Allen
that he is about building a new Store on the North State Street.
erly side of State Street. Read and Committed to
Aldermen Bellows and Robbins, to consider and report.

On application of the Directors of the Brown
House of Industry. Ordered, that notice be given to Benjamin Skendthrift
Brown now in said house, that he appear before this board,
on Thursday next, Seven o'clock P. M. and show cause if
any he have, why the Mayor and Aldermen should not
make application to the Judge of Probate, that a Guardian
be appointed to him according to law, it being suggested
that the said Brown is an idle and dipolute person and
wastes his estate by excessive drinking and idleness subject-
ing himself to want and suffering circumstances, and the
City to a charge for his maintenance.

Order of the Common Council directing Auditor of acct.
the auditor of accounts' estimate of the amount of money ne- expenditures
cessary to be raised for the expenditures of the ~~year~~ ensuing
~~year~~ financial year, which commences on the first day of
May, 1826, and closes on the thirtieth day of April 182~~6~~7,
to be committed to the committee of finance, with such as
the board of Aldermen might join to consider and report.
Came up for concurrence. Read and concurred, and the
Mayor, Aldermen Bellows, Marshall and Loring are
joined.

94.

Harlshorn Genl undertaker

The Superintendent of burial grounds reported, that Preston Harlshorn is a suitable person to be appointed a General undertaker. Read and accepted and he was nominated and appointed accordingly.

Schools.

Resolve of the Legislature, requiring a return and statement to be made to the Secretary of the Commonwealth on or before the first day of May next, shewing the condition of the Common schools and academies in the City. Read and committed to Aldermen Oliver, to consider and report.

Coolidge Waterston Gray &c. Numbering in Kilby st. &c.

The Mayor reports, that the most convenient mode of numbering the buildings in the vicinity of Liberty Square, is as follows — 1st. To continue the numbers upon Kilby street on the west side being the odd numbers as at present — 2nd. To consider the east side of Kilby street as extending to Liberty street & thence as extending across the square, to the true line of the street opposite Waterston & Gray's store, and continuing the even numbers regularly on the east side as at present to Liberty street, and then coping as above proposed in regular succession of even numbers to Milk street. —

3rd. To commence Battery March from north west corner of the buildings called recently Liberty square block and commencing with the odd numbers to proceed in regular succession of odd numbers on the east side of said Buildings to Milk street. — 4th. The even numbers of Battery March street to commence on the opposite side, beginning at Liberty street. — 5th. The numbers of the Liberty square block (so called) on Milk street, beginning at the

Westerly

Westerly end and proceeding in even numbers beginning at No. 80, and so on regularly until it reach Battery March Street. Read and accepted.

Petition of William H. Ward, & others, owners and occupiers of Stores on Water Street, Liberty Square and Liberty Street, and the streets in the vicinity, praying, that the name of Water Street may be changed to Liberty Street. Read and thereupon ordered, that public notice be given to all persons interested, to appear before this board on monday next, seven o'clock, P. M. and object to the same, if they see cause. Ward Liberty & Water St.

Petition of William Parsons and others, praying, that a new street, may be laid out from North Market Street, along the sea board to Lynn Street. Read and referred for the consideration of the whole board. Parsons New Street.

Ordered, that notice be given to Elisha Penniman, and the several tenants in his store on the westerly side of Washington Street, that the Mayor & Aldermen will on the twentieth day of March instant, proceed to take down the front of said store, which has been taken to widen said Street. Of which they will take notice and govern themselves accordingly. And thereupon ordered, that Mess.rs Bellows, Welsh and Loring be a committee to make a contract with a Carpenter and Mason to perform the above work. Penniman Washington St.

Ordered, that Ald. Bellows & Marshall be a com.e to procure a new Carpet for the Aldermen's room. Carpet.

96.

Sears Beacon st.

Resolved, That the whole board will meet in Beacon street, at the corner of Somerset street, on Thursday next, nine o'clock A. M. for the purpose of considering the necessity or expediency of widening said street by taking a piece of land belonging to David Sears, Esq. for that purpose: And that notice be given to said Sears, that he may govern himself accordingly.

Rogers Beacon st.

Resolved, That the whole board will immediately after viewing said Sears' land proceed to the corner of Beacon and Sumner streets, for the purpose of considering the expediency or necessity of widening said Beacon street, by taking a part of the land late belonging to Daniel D. Rogers, Esq. deceased, for that purpose, and that the heirs of said Rogers be notified thereof, that they may take notice and govern themselves accordingly.

Hunewell South Boston bridge.

Petition of Jonathan Hunewell, and others, stating, that they with others, their associates, by virtue of an act of the Legislature passed on the fourth day of March instant, were authorized to erect and build a bridge from or near Sea street to South Boston, and nearly in the direction of the Dorchester turnpike: That by the fifth section of said act, the City are authorized to erect said bridge if they shall determine to do so, within three months from the date of said act. They therefore pray, that a committee be appointed to confer with them on that subject.

Read and sent down.

Hammond

Petition of Samuel Hammond, praying that his bond to the City to pay sixteen thousand four hundred

dollars

dollars, payable on the first day of May next, may be extended for one year longer. Read and committed to the committee on the extension of Faneuil Hall Market, with authority to grant the accommodation to the Petitioner, if they see fit, for a term of time not exceeding one year, at a rate of interest of six per centum per annum. Sent down for concurrence. Came up concurred.

Petition of Thomas Lamb, praying Lamb
that the alley leading from State street to Doane street, State & Doane
may be closed, and filing the consent of all the proprietors St.
of estates on Doane street to the same, excepting Wm. Vernon
of New York & Cutler. Read and committed to Aldermen
Lamson, Loring and Robbins, with such as the Common
Council may join, to consider and report. Sent down
for concurrence. Came up concurred, and the Common Council
joined on its part Messrs. Dorr, Lodge, Jonathan Hunter
and Piper.

Petition of William Sullivan, and others, Sullivan
a committee of associates, Inhabitants of the City, for the purpose Gymnastic
of establishing a School for Gymnastic instruction and exercise, exercises.
praying, that they may have the use of a piece of land
not exceeding one acre in extent, at the junction of Boylston,
Pleasant and Charles streets, for two years, from the first day
of May next. Read and committed to Aldermen Welsh,
Oliver and Loring, with such as the Common Council
may join, to consider and report. Sent down for concurrence
Came up concurred, and the Common Council joined on its part,
Messrs. Bassett, Rice, Farnsworth and Bent.

Tuckerman State Street & Merchants Row.

The Surveyors of Highways, respectfully represent, that Messrs. W. & G. Tuckerman have given notice to them of their intention to take down and rebuild the Warehouses owned by them, at the corner of State Street & Merchants' Row. That this application brings before this board, in an impressive and conclusive manner, the importance of widening Merchants Row, on its west side, in its whole length, inasmuch as if the present occasion be permitted to pass without availing of it, the opportunity of widening that important avenue may be lost, for years, perhaps forever. The taking of their estate of the Messrs. Tuckerman's would lead to others which would require expenditures far beyond the probable extent of any appropriation, which may be put under their control, for the service of the year, by the City Council; it is also probible that the interest of the City will require purchases to be made, not within the power of the Surveyors of highways & only to be authorized by the City Council. Under these circumstances, the Surveyors of Highways respectfully suggest, the expediency of taking the subject under the special consideration of the City Council, in order, that such improvement may be adopted, as the interest of the City, and the existing exigencies may require. All which is respectfully submitted. By order of the Surveyors of Highways. Josiah Quincy, Chairman.

Read and committed to the Mayor, Aldermen Welsh, Oliver, Jackson, and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Barry, Hallet, Tracy, Isaac Parker, Wales, Lodge and Hatch.

The joint committee to whom was referred the petition signed by John Bray, and others, ask leave to report, that they have fully considered the same, and have examined the Elist School house, and are of opinion that there should be added to that House another story, and that the lower story should be fitted for a ward room, and an Engine house, and that the two upper stories should be hereafter used as School rooms, and that said rooms be provided with new forms, agreeably to a plan herewith, as those now there are much worn, being the same with a few trifling repairs which were in the School house, either when it was first built in the year 1712, or when the building was enlarged in 1792. The whole cost of which including the expense of a slated roof, instead of a shingled roof, as the present one now is, will be five thousand dollars, from the best estimate which your committee have been able to obtain as the cost of said contemplated alterations and improvements to said house, and your committee recommend, that the Mayor and Aldermen be [a] authorized to cause the same to be done.

Bray
Elist School.

For the Committee. Josiah Marshall.

Read and accepted. Sent down for concurrence.

Came up concurred, with the following amendment, at [a] strike out "authorized" and insert "enjoined". Read & concurred.

Ordered, that the committee on Reservoirs be authorized to insert a cock into the Aqueduct, in such a manner as to connect with the Engine hose, in Washington street, near the Boylston Market, to be used in case of fire.

Aqueduct

Adjourned to meet in Beacon street at the corner of Somerset street, on Thursday next, nine o'Clock A. M.

Thursday March 16th 1826.

Met acording to adjournment

Present — The Mayor — Aldermen Oliver, Loring & Jackson.

Beacon Street
Rogers & Sears.

Wm. Rogers in behalf of the heirs of Daniel D. Rogers, Esq. appeared agreeable to summons, Wm. Dwight the occupant of Wm. Sears' house also appeared.

The members present viewed the several estates in Beacon street of Messrs. Rogers and Sears, in company with A. D. Fuller, Surveyor, but there not being a sufficient number present to form a quorum the meeting was adjourned to half past six o'clock this evening, and Mr. Rogers agreed to take notice.

Thursday evening March 16. 1826.

Met according to adjournment.

Present — The whole board, except Alderman Bellows.

Buttrick

Petition of Horatio G. Buttrick, and others, residents on and near the Mill Dam, stating certain grievances which they have heretofore suffered from the want of Schools, and said Inhabitants not being permitted to vote in the City, to which they were recently annexed from the town of Brookline, as they did not belong to any particular ward, until a recent act of the Legislature they were annexed to Ward No. 6. Therefore they pray, that some relief and that they may be released from the taxes which have been assessed — whereupon Ordered Read & Committed to Aldermen Welsh & Loring, with such as the Common Council may join, to consider & report. & Sent down for Concurrence. Came up concurred. & the Common Council joined on its part, Messrs. Morey, Samuel Thaxter & Torrey.

Order of the Common Council instructing the Committee who have under consideration the expediency of placing the statue of Washington in the Centre Hall of the New Market house, also to consider and report on the expediency and practicability of erecting a suitable building on the Common, for the reception of the monument of Washington, and if said Committee should be in favour thereof, that they report a plan of such building, with the expence thereof, and the sum which probably could be obtained by private subscription. Came up for concurrence. Read and concurred. Washington Statue.

Order of the Common Council appointing Messrs. J. Parker, Curtis, Waters, Gray and Lodge, with such as the Board of Aldermen might join, a committee with instructions to enquire into the expediency of abolishing the office of Health Commissioner, and transferring the duties thereof, to any other officer or officers, and to report. Came up for concurrence. Read and concurred, and Aldermen Oliver, Loring and Jackson are joined. Health Comrs.

Order of the Common Council committing the petition of John Pratt, praying to be reimbursed the money expended by him, occasioned by the alteration in the elevation of Pinckney Street to the Committee who have under consideration the petition of Jeremiah Evarts and others, to consider and report. Came up for concurrence. Read & concurred. Pratt & Pinkney St.

Ordered, That the committee of the district, Summer Street. Came the Level of Summer Street, to be determined in front of the buildings now erecting.

102.

Clarke Cooper Street.

The committee on the petition of Jefferson Clarke and others, for some improvements in Cooper street, in the vicinity of Ward room No. 3, report, That they have viewed the premises and are of opinion, that whenever the abutters or proprietors of estates on the westerly side of North Margin street, and on the northerly side of Cooper street, will lay a suitable plank side walk of four feet in width and find the plank irons for two planks — That then the City should lay a row of flagging stones across Cooper street, to the front door of the Ward room, one row across north Margin street to the block of George Blake, Esq. and a row across to the opposite block, and lay a plank side walk in front of the said Ward room and place a couple of lamps and lights the same at such points as the Public convenience should be best accommodated. All which is submitted, in behalf of the Committee. W. T. Glover

Read and accepted.

Greene Pemberton's Hill.

Gardiner Greene represents, that by a decision of this Board in the summer of 1824, a prospective plan was adopted with respect to the future line of the street over Pemberton's hill, agreeably to a survey thereof made by S. D. Fuller, which plan was adopted after a full hearing of the parties. That afterwards in the autumn of the year 1825, in consequence of the purchase by the City of Dr. Shurtleff's estate, notice was given to said Greene of the intention of the City, to widen and reduce the said street, in consequence of which notice he attended with the Hon. Mr. Lloyd, and other Gentlemen and opposed the said alteration as neither required for the safety or convenience of the Inhabitants and as being con-

Mary

trary to the wishes and interests of all the abuttors and that after a full hearing of the parties it was adjudged necessary for the safety and convenience of the Inhabitants to widen Sd. Street, and to reduce the same in the manner and to the extent stated in the resolve passed this board October 24. 1825. said Greene now proposes that the alterations on the line of his own estate may be done under his directions by such workmen as this board shall approve whose bills for the work shall be paid by the City, and as to the value of the land taken it can be a subject of adjustment after the work is finished or whenever it shall suit the convenience of this board.

Read and the Mayor thereof granted.

Petition of William Reed, and others. Reed
stating that the Common sewer in Federal street is not low Federal St.
enough to drain the Cellars under the houses they have built and are now building on a new Court leading from said Street, and praying that the Common sewer in the same Street may be taken up and relaid, and the expense thereof appeased upon those who shall be benefited thereby. Read & thereupon ordered, that public notice be given to all persons interested to appear before this board on monday next, Seven oClock P. M. and object to the same, if they see Cause.

Copy of the Petition of Benj.a Sweetser Sweetser
and the order of Court thereon, praying for a writ of Certiorari to the Court of Common Pleas, to send up to the Supreme Judicial Court, the records of the proceedings of a process and trial between him & the City. Read & referred to Alderman Welsh with instructions to attend to the same before the Court.

Rogers Beacon St.

Ordered, That the subject of taking a piece of land, belonging to the heirs of David D. Rogers, Esq. deceased, to widen Beacon Street, be postponed to Monday next; and in the mean time referred to the committee of the District, Aldermen Welsh and Loring, for the purpose of agreeing with said heirs relative to taking down the walls and steps.

Pierce Engines

Communication of James Pierce, acting as Secretary of the meeting of the masters and representatives of certain fire Engine Companies, was communicated by the Mayor, and referred to the Mayor, Aldermen Bellows, Welsh, Robbins and Jackson, to consider and report.

Sears Beacon St.

Resolved, That the safety and convenience of the Inhabitants require, that Beacon street, should be widened, by taking a piece of land belonging to David Sears, Esq. and the same is laid out and widened accordingly - viz. Beginning at the southeasterly corner of land of Jonathan Phillips, and running northeasterly on a straight line sixty nine feet, three inches to a point on the westerly side of Somerset street, forty four feet, two and a half inches distant from the northwest corner of the mansion house of the late Oliver Brewster, Esq. then southerly and westerly by the present lines of Somerset and Beacon streets to the southwest corner of said Sears' land; then northerly ten feet, three inches to the place of beginning. Containing four hundred and eighty five square feet of land according to a plan of a part of Beacon street, taken by C. P. Fuller, Surveyor, dated

The Mayor reports, That said Sears make no claim for the land thus taken, provided the steps shall be

be put back, and the fence removed. Whereupon ordered, 105.
that the committee of the District, Aldermen Welsh and
Loring, be authorized to cause two flights of steps to be
constructed.

Ordered, that each member be Meetings
notified of all meetings of this board, which shall take of the
place at any hour of the day other than the regular Board.
and usual hour, except in those cases where the meeting
is to be held the next day.

Adjourned to Monday next four o'clock P. M.

Monday March 20. 1826.

Met according to adjournment.

Present The whole board.

The committee of the petitioners for New street
a new street from North Market street, along the sea board
to Lynn street, appeared, and were heard before the board, &
thereupon ordered, that the Mayor, Aldermen Marshall and
Prince be a committee to consider the expediency of having a
plan taken of the land and flats from the Long wharf, to
Charles river bridge and report.

The committee to whom was Engine
referred the resolves of certain persons calling themselves mas- Captains
ters and representatives of the several engine companies, signed Adams
James Pierce, Secretary, and the papers therewith connected, Jennings.
having reported upon that subject, and the same having
been considered, thereupon the following resolves were passed
unanimously.

Whereas it appears to this board by the written

representation

106. Adams & Jennings

representation of William Tucker, Esq. one of the firewards of this City, that, at the fire in Inn street, on the morning of the ninth instant, while said fire was raging, and after a line of Engines had been formed, communicating water to each other, and operating on the fire, with full effect, Daniel Adams, Captain of Engine No. 16, his engine being at the fountain head, and one of the line of said engines, ordered his said Engine, to cease playing, and refused to convey water into one of the Engines, then forming said line, and notwithstanding the remonstrances of said firewards, persisted in his refusal, and with oaths, clamour, and in a manner, highly disorderly, and disorganizing, refused to obey the orders of said firewards, whereby, the endeavours then making to extinguish said fire, were impeded, & for a time frustrated; And whereas conduct of this nature, on such occasions, is, in the highest degree disgraceful and dangerous, as well as utterly destructive of all order and discipline. Therefore, Resolved, that the said Daniel Adams, be and he hereby is removed from the command of said engine and dismissed from the Engine service; and that the Mayor and Aldermen cause his name to be forthwith stricken from the rolls of Engine men, accordingly.

And whereas it also appears by the representation of said firewards, that Alexander H. Jennings, an assistant foreman, and then acting, as Captain of Engine No. 14, did evince a like clamorous, disorderly, and disorganizing disposition, on the same occasion, and did cooperate with the said Adams in his said revolt from authority, refusing also to convey water to one of the Engines forming said line, Therefore, resolved, that the said Alexander H. Jennings be

be and he hereby is dismissed from the Engine service, and that the Mayor forthwith cause his name to be stricken from the rolls of Engine men accordingly.

Ordered, That the foregoing resolves be published and the above named Adams and Jennings be served with an attested copy thereof.

Ordered, That directions be issued to Engine company No. 16, to elect a new foreman, and to Engine Company No. 14, to elect a new assistant foreman.

Petition of J. V. N. Throop, and others, praying that they may be organized as a "fire association" for the purpose of subduing fires. Read and committed to the committee on the fire department, to consider and report. Throop, fire association.

Ordered, That the proprietors of the estate now in the occupation of George Domett, at the corner of Portland and Hanover streets be notified to remove the door steps of the house on Portland street, the same being in the highway, and a serious interruption to the free passing thereon. Domett Portland & Hanover St.

Communication from John Gray, relative to the repairs of his house and damage in consequence of cutting off the same to widen Hanover street. Read and thereupon ordered, that the sum of twelve hundred and fifty dollars, be paid for repairs on said house when the same shall be finished. Gray Hanover St.

Notice having been given agreeable to the order passed at the last meeting of the board on the Reed Federal St.

Petition

108. Petition of William Reed, and others, that the common sewer in Federal street, be taken up and relaid, and the expense thereof ~~xx~~ assessed upon those who shall be benefitted thereby. Several persons appeared and after a hearing, the board are of opinion that the same be taken up and relaid according to the prayer of said petition. And that the Mayor cause the same to be executed.

Ward 2 Liberty & Water St.

Notice having been given agreeable to the order passed at the last meeting of the board on the petition of William H. Ward, and others, praying, that Water street and Liberty street may be united into one street, and that the same be called Liberty street. And now William Phillips and others, file a remonstrance against having said street called Liberty street. And after mature deliberation thereon, it is thereupon resolved, that said streets be united into one street, and that the same be called Water street, and that the Mayor be authorized and empowered to cause the same to be numbered.

Boston Marine Rail way

Charles Tracey and George Darracott in behalf of the Boston Marine rail way company, give notice that they are about erecting buildings on Ann street near Battery wharf. Read and committed to Aldermen Minard and Oliver.

Hill & Flint

Petition of Hill & Flint, praying that the tax which was assessed upon them the last year, should be remitted, they being at that time as they allege without property, and they are still unable to pay the same.

Read and sent down.

Ordered, That the workmen employed to level Pemberton's hill, and widen Common street at that place, be authorized and directed to proceed in said work immediately, according to the plan of the same taken by S. D. Fuller and adopted by this board. Pemberton's hill. Common street.

Petition of Josiah Knapp, and others, praying, that Washington street, at the corner of Eliot street, and in the vicinity of Boylston market, be widened, - Read and committed to Aldermen Garnet and Jackson, to consider and report. Knapp. Washington st.

The committee on the petition of Henry Lincoln, for damage in consequence of his land being taken to widen Portland street, reported, that he is entitled to one dollar and seventy five cents, for each square foot of said land so taken. Read and accepted, and ordered accordingly. Lincoln. Portland st.

Communication from John Rogers, stating, that the devisees of the late Daniel D. Rogers, Esq. are willing to submit the subject of allowance for land taken by the City in front of the Mansion house in Beacon street, and for expense of making alterations &c. to three indifferent persons, one to be chosen by the City, one by the devisees and a third by the two first. Read and thereupon ordered, that the same be agreed to, being the first motion mentioned in said Rogers' Communication, and that John Bryant, Esq. be appointed an arbitrator in behalf of the City. Rogers. Beacon st.

Petition of John Wells, and others, praying, that Cooper street, be widened. Read and thereupon ordered, that the whole board will meet, in said street, on Wednesday Wells. Cooper st.

110. Wednesday, next, nine o'clock A. M. for the purpose of considering the expediency or necessity of widening said street.

Penniman Washington St.

The committee on the subject of taking down part of Elisha Penniman's store, report, that they have received a communication and agreement from Fowle & Lincoln, and Joseph Whitney and Co. stating their objections to the time specified the 20th of March, & promising, that if the Mayor and Aldermen would postpone their operations until the twentieth day of June, next, they would withdraw all opposition to the measure and remove their goods voluntarily. They therefore are of opinion that the proceedings be accordingly postponed, until the twentieth day of June, next, and that Elisha Penniman, Fowle & Lincoln and Joseph Whitney & Co. be notified that the board will proceed to take down the front of said Penniman's store, on the twentieth day of June next, according to their request and agreement aforesaid. Read and ordered accordingly, and that notice be given as above, by serving each of the persons above named, with a copy of the above report, declaring the intention of the board to proceed to the said taking down on the said twentieth day of June.

Warrants for Ward meetings

Ordered, that the City Clerk issue warrants for the meeting of the citizens in their respective wards on monday, the third day of April, next, for the purpose of giving in their ballots for Governor, Lieutenant Governor and six Senators, for the District of Suffolk. Also for a Register of deeds, for the County of Suffolk, And the Citizens of Ward No. 4, in addition to the above to choose by ballot

ballot an overseer of the poor for said ward in place of William B. Callender, who declines serving. The poll to be opened at eleven of clock A. M. and kept open until three o'clock P. M.

The committee on the extension of Faneuil Hall market, having made with David Greenough, Esq. an arrangement for the purchase and sale at public auction in connection with the adjoining land of a small gore of land bounded west on Merchants' Row, and running easterly to a point, bounding northerly on the new street lying south of the south block of stores and bounding southerly, running from said easterly point on land of said Greenough. And the committee having made with said Greenough a very satisfactory arrangement whereby the said Greenough guarantees to the City ten dollars a square foot, and to sell the same in connection with his own land, and pay the City whatever the land shall produce more than ten dollars the square foot, should the sales exceed that sum, which he guarantees, your committee respectfully suggest the expediency of an authority to make sale of the above piece of land, being granted by the City Council. By order of the committee

Josiah Quincy, Chairman.

Greenough
F. Hall Market

Read and thereupon ordered, that the committee on the extension of Faneuil Hall market, be and they are hereby authorized to make sale, at public auction or otherwise, at their discretion, of all that piece of land which is owned by the City, bounding westerly on Merchants' Row, north by the new street lying south of the new south block of stores, and south by land of David Greenough, and the

Mayor

112. a Mayor be authorized to execute any deed thereof the said Committee may direct. Sent down for concurrence.
Came up concurred.

Neck lands Plan. Order of the Common Council directing that the plan of the Neck lands made by S. P. Fuller, and adopted by the City Council October 24. 1825. be and the same hereby is continued, ratified and confirmed, as the fixed and settled plan of the said neck lands, except so far, that the committee on neck lands be authorized and they hereby are directed to have a plan of the said lands taken on which it shall appear, that Norfolk and Suffolk streets terminate at the streets croping Washington street, at right angles immediately contiguous to the public square viz: Brookline & Newton streets lying west, and Dorchester and Milton streets east of the said Washington street, and that the said plan be made durable materials and secured by a frame. Came up for concurrence. Read and now concurred, and thereupon Ordered, that Aldermen Loring and Robbins be a committee to confer with such committee as the Common Council may appoint on its part, relative to the subject matter of difference between the two boards. Sent down for concurrence. Came up concurred, and the Common Council appointed on its part, Messrs Lodge and Hastings.

V. Com. Vid. p. 156.

Lewis Northampton Street. Petition of Winslow Lewis, praying some allowance in consequence of the dock of a certain wharf lying across the head of navigation on Northampton street, which he hired of the City, having been filled up or never being sufficiently dug out. Read and committed to the Committee

on Neck lands, to consider and report. Sent down for 112. 6
concurrence. Came up concurred.

The Mayor from the committee who Juvenile
were authorized to apply to the Legislature for an act grant delinquents
ing power to the City Council for providing for the reformation
of juvenile delinquents reports, that having made the appli
cation directed, the act, or transcript of which is herewith
exhibited, has been obtained from the Legislature. Read and
committed to the Mayor, Aldermen Oliver and Loring
with such as the Common Council may join, to consider
and report. Sent down for concurrence. Came up con-
curred, and the Common Council joined on its part Messrs.
Grosvenor, Rice, Torrey and Brewer.

The committee on the extension of Faneuil H.
Faneuil Hall market, respectfully represent, That the City Market
is proprietor of a considerable tract of land lying north Land to the
of the north block stores of the new Market, which in their North.
opinion it is for the interest of the City forthwith to sell,
and for which it is requisite should such be the opinion
of the City Council, that an authority to make sale there
of should be granted. Signed by order of the Committee.

Josiah Quincy, Chairman.

Read and thereupon ordered, That the committee charg-
ed with the extension of Faneuil Hall Market, be and
they are hereby authorized to lay out and make sale
of all the land belonging to the City lying between North
Market street and Fann street. Sent down for concurrence.

Came up concurred.

(Sea wall H. of Industry.

The joint committee to whom was referred the communication of the Directors of the House of Industry, respecting a sea wall and wharf, on the northerly side of the City farm - Report That they have been upon the premises and carefully examined the suggestions which have made by the Directors of this establishment, and are of the opinion that a very considerable extension of their lands may be made at a comparatively trifling expense. It is ascertained that by extending a wall about three hundred feet, in a northerly direction from the main land, and then extending the same across the entire northerly front of the same being about twenty two hundred feet, that fifteen acres of land may be added to this establishment. The cost of wall is estimated at six thousand dollars. The filling it is proposed, shall be done by the inmates of the House, which labour is to be performed in the winter season, when it cannot be otherwise profitably brought into action. And it is believed by your committee, that if employment, as well as food can be offered to that class who are most likely to be applicants for the comforts of this asylum; that its obvious tendency would be to diminish their numbers. We therefore recommend to the City Council to make an appropriation of two thousand dollars, the present year and to place the same at the disposal of the Directors of the House of Industry, for the purpose of commencing the present Summer, a sea wall as suggested, to extend not exceeding three hundred feet from the main land, northerly towards the Channel, and in an extended line from the easterly and southerly boundary of the City's farm. Per order of Com.ee J. Bellows. Read & accepted. Sent down for Concurrence.

Engine house
Ward room
No. 8.
Nichols

The committee on the subject of an Engine house in ward number eight, to whom also was referred the petition of Charles C. Nichols, for a ward room in the said ward. Report, that they have diligently attended to the duties assigned them, that they find the said ward destitute of a place in which they can with any tolerable convenience hold their ward meetings. Your committee after considerable enquiry, found a piece of land in Franklin Street, near the Theatre which they have ascertained can be purchased, at two dollars per foot. Its dimensions are twenty four by seventy feet, making sixteen hundred and eighty feet, as by a sketch herewith presented. The location of this land is such, in the opinion of your committee, as to render it in every respect convenient for the citizens of the said ward, and so far as the committee have had it in their power to ascertain, will be satisfactory to them. It appears also to the committee to be a very suitable spot for an Engine house, as both these may very conveniently and with much economy, be united in one building. The expense of a building twenty four by forty five feet, three stories in height is estimated at four thousand dollars; the cost of the land will be three thousand three hundred and sixty dollars. Another circumstance has accidentally come to the knowledge of your committee, which renders this lot still more desirable, and that is, that immediately in front of the proposed site, that is a considerable space in front of the lot, now used as part of the street, which has not been surrendered to the City, where it is proposed to build one of the Reservoirs, which has been already located by the City Council, "at or near the Theatre." These considerations have induced the committee to recommend to

the

115. the City Council to purchase the aforedescribed lot, and to erect a building thereon for an Engine house and a ward room. All which is respectfully submitted. By order of the committee. J. Bellows.

Read and accepted. Sent down for concurrence.

Engine No 6. A list of names as returned for Engine men, of Engine No 6, Accepted and filed.

Adjourned to Wednesday next, nine o'clock A. M.

Wednesday March 22d 1826.

Met according to adjournment.

Present. The Mayor Aldermen Marshall, Oliver and Jackson.

No Quorum. There not being a sufficient number present to form a quorum, the Gentlemen present viewed Cook's sheet.

Adjourned to nine o'clock tomorrow morning.

Thursday March 23d 1826.

Met according to adjournment.

Present. The whole board.

Engine No 16. Whereas it appears to this board by a publication made in the Columbian Centinel of the 22 instant, signed "Aaron Breed, Clerk," that a majority of the

members

members of the company of Engine No. 16, did vote or declare that they "still hold Daniel Adams, their lawful Captain," notwithstanding he had been dismissed by the Mayor and Aldermen, and that they "shall obey him accordingly." And whereas, the acts and language for which the said Adams was dismissed occurred, in the presence and hearing of the said Company, as well as of hundreds of our fellow citizens, & the same were notoriously and undeniably of the most violent and unjustifiable character; And whereas the above vote of a majority of said company cannot be otherwise deemed by this board than as a public declaration of their intention to countenance and support the said Adams in his revolt from authority, — Therefore:

Resolved, That the said company of Engine No. 16, be and hereby is dissolved, and the members be and hereby are dismissed from the Engine service.

Resolved, That the Mayor cause a company forthwith to be organized to take possession of said Engine No. 16, and to protect and manage the said Engine, until a permanent company shall be organized; and that he proceed forthwith to cause such permanent company to be formed, if possible in the vicinity of the present Engine House and if this be not practicable, then that he remove the said Engine to a quarter of the City in which a permanent company shall be formed.

Resolved, That any member of the late company of Engine No. 16, who shall give satisfactory evidence that he did not concur in the above mentioned vote or declaration of said company may be admitted a member of the new permanent company to be organized under & by virtue of the

above

11/ above resolve. The forgoing resolves were passed by a unanimous vote.

Ordered, that the City Clerk cause the same to be published and Aaron Breed to be served with an attested copy thereof.

Engine No 11. 1. Remonstrance of Engine company No 1. against the present organization of Engine company No 11, on account of their minority, and stating, that while that is the case, they cannot co-operate with them. Read and committed to the committee on the fire department, to consider and report.

Campbell The committee of both branches to whom was referred the application of Andrew Campbell, for an additional allowance for his services as instructor to the children of the City Poor, having duly considered the subject are of opinion, that the applicant is entitled to a further allowance of eighty five dollars. This sum to be received and acknowledged by him as a full compensation for any and all services rendered in the capacity of school master as well at the late Alms house in Leverett street, as at the house of Industry. Wm. T. Loring, per order.

Read and accepted in the Common Council. Came up for concurrence. Read and Concurred.

Sampson Charles St. Petition of Zephaniah Sampson and others, that the westerly end of Charles street may be paved, new side walks laid or otherwise improved; Read & committed to Aldermen Marshall and Oliver to consider and report.

3

Throop Engine No 8.

The committee of the fire department to whom was referred the petition of J. F. V. Throop, and others, composing the hose company, praying that they may have the command of one of the Engines, reported, that said Company have command of Engine No 8.

Read and accepted, and ordered accordingly.

Messenger Bray Wards 10 & 1.

Order of the Common Council directing, that the several reports made by the Committees on the petitions of Daniel Messenger, and others, concerning ward room in Wards No 10. — And John Bray and others, concerning ward room in ward No 1, be referred to the joint committee who have under consideration the amount of money necessary to be appropriated the present year. Came up for concurrence.

Read and concurred.

Voters

Ordered, that notice be given in the public papers, that the lists of voters are prepared and placed in the Mayor and Aldermen's room, and all persons who have removed from one Ward to another, and all persons whose names are not inserted on said lists, and are entitled to vote may have them inserted in the ward in which they dwell, by applying at said room any time previous to the day of election.

Knapp Washington st.

The committee to whom was referred the petition of Josiah Knapp, and others, praying, that Washington street may be widened, opposite Boylston market, having had the same under consideration, ask leave to report, that they have examined the premises and find that the distance from Essex Street to the Lafayette Hotel, is ninety on

and

Knapp Washington St.

and a half feet; the whole of which pond is owned by one person and is covered with old wooden buildings of very little value, the depth of the lot is about one hundred and ten feet; it would therefore be a benefit rather than an injury to the estate. It will be recollected that the trains over Washington, Essex and Boylston streets must pass or rather squeeze by this narrow place, which may be likened to a tunnel that receives about five times as much at the top as it can discharge at the bottom. Market wagons are also paraded along the sides of the street and choak up the passage to such a degree, that it is often difficult and dangerous to pass at all: In the opinion of your committee that is not a place in the City that calls so loudly for the cutting interference of this board as the one in question. A moderate slice here would benefit every body and injure nobody; it cannot therefore be otherwise than a very wholesome operation. Your committee will not permit themselves to doubt for a moment, that a single member of this board will object to thrust in the sickle where every thing is so ripe for the harvest, and where the whole community are actually longing to witness the operation. Your committee therefore recommend to this board to take the land forthwith commencing on the south side of Essex street, about eight feet to the northwest corner of the Lafayette Hotel.

All is respectfully submitted. Dan'l Carney, F. Jackson } Committee of the Southern district.

Read and thereupon resolved, that the whole board will meet in Washington street, at the corner of Essex street, to-morrow morning, half past eight o'clock, for the purpose of considering the necessity or expediency of widening said street; & that Sam'l Hastings & the tenants in his house be notified, that they take notice & govern themselves accordingly.

Resolved, That the whole board will meet in Salem street, opposite Richmond street, to morrow morning, half past nine o'clock, for the purpose of considering the necessity or expediency of opening a street from Salem street to Cooper street. Salem & Cooper Streets.

Adjourned to half past eight o'clock A. M. tomorrow then to meet in Washington street, opposite Boylston Market.

Friday March 24th. 1826.

Met according to adjournment.

Present— The whole board.

The board viewed Washington street, opposite Boylston Market, agreeably to the vote of yesterday. Washington Street

They afterwards proceeded and viewed Cooper street, agreeably to the vote of yesterday. Cooper Street.

They also proceeded and viewed Ann street, near the head of Battery wharf. Ann Street.

Adjourned to Monday next, half past six o'clock P. M.

Special meeting.

Saturday March 25th. 1826.

Present The Mayor. Aldermen Bellows, Marshall, Welsh, Otis & Loring.

On the information given personally to this board by the Captain of Engine No. 11, that the Engine house under his Engine No. 11.

121. This care was entered the last night, by a person or persons unknown, and the hose belonging to said Engine Co., in several places, in a manner indicating a wicked and malicious disposition. Therefore,

Ordered, that the Mayor be and he hereby is authorized to offer a reward of Five hundred dollars, for the detection of the offender or offenders aforesaid, and their prosecution to conviction.

Ordered, that the resolve of this Board authorizing the Mayor to offer a reward for the detection of the person or persons who cut the hose attached to Engine No. 11, be printed in a hand bill, as well as in the several papers, wherein the city advertizements are usually published, as also in the Evening Gazette.

Engine No. 2 Preamble and resolutions passed by Engine Company No. 2 disavowing the conduct of the late Captain & members of Engine Company No. 16.

Engine No. 10. Also a resolution of Engine company No. 10, declaring, that said company will not play any water into Engine No. 11, nor receive any from her, at any fire; also a communication of the Captain of said Company No. 16, protesting against the proceedings of a majority of said company, were severally read and referred to the Committee on the fire department, to consider and report.

Engine No. 6 Jacob Tufts, foreman, James Boyd assistant foreman and Marshall Stodder, a member of Engine No. 6. were examined, & accepted.

Adjourned to Monday next half past six o'clock P. M.

Met according to adjournment.

Present The whole board.

An ordinance to provide for the management and disposition of the funds appropriated to the fire department. Read and passed. Sent down for Concurrence. Fire departm't Fund

Petition of William Barry, and others, a Committee of the Republicans of the County of Suffolk, for the use of Faneuil Hall, on Sunday evening preceding the first monday of April, next, for the purpose of holding addresses. Read and the prayer thereof granted. Barry Faneuil Hall

Communication of Benjamin Smith, in behalf of the Green Dragon Proprietors, inquiring whether the City government contemplate making any alteration in the street, so as to affect their estate on Union street. Read and committed to Aldermen Marshall and Oliver, to consider and report. Smith Green Dragon Union street.

Petition of Charles Holmes, praying that he may be permitted to use the wall of the Prison yard, in building a dwelling house, and that he may have the privilege of carrying up a part of the same as sufficient height for that purpose. Read and committed to Aldermen Welsh and Loring to consider and report. Holmes. Gaol

Petition of Thomas Williams, praying that he may be permitted to enter the drains from the building that he is about erecting on Washington street, into the Williams Washington S.

Common

123. Common sewer which runs under the house of Josiah Knapp, Esq. and that he may have leave to deepen said common sewer Read and committed to Aldermen Welsh and Jackson to consider and report.

Trull / Merrimac & portland st. Communication from Ezra Trull, stating, that he is about building a Dwelling house on land of the Mill Pond Land, running from Merrimac to Portland streets, and praying, that the height of those streets may be ascertained. Read and committed to the Mayor, to consider and report.

Suffolk / fire society. Communication from the Suffolk fire Society, offering their services to take charge of any Engine in the City which may be without a Company until a Company can be otherwise procured and organized. Read & committed to the Mayor, to consider and report.

2nd Baptist So. / Reservoir Communication from the committee of the second Baptist society, granting one half of the water running from the north side of their meeting house in addition to the water from the south side, for the use of the City, for the purpose of building any reservoir, which may be built near said house. Read and committed to Aldermen Marshall and Oliver to consider and report.

Washington / Street The whole board having viewed that part of Washington street in front of Boylston Market at the corner of Essex Street, for the purpose of considering the expediency or necessity of widening the same, petitioned for by Josiah Knapp, and others agreeable to the report of the committee on said petition, and resolve passed the 23d instant, have 119 and

and

and it appearing that all persons interested have been duly notified to appear and object to the same, and no person appearing to object to the same; and after a full hearing & mature deliberation thereon the board are of opinion, and it is accordingly Resolved, That the safety and convenience of the Inhabitants require that Washington Street be widened and the same is laid out and widened accordingly, in a straight line from the northerly corner of the Lafayette Hotel, to the southwesterly corner of Robert Mewes' store, on the northerly side of Essex street. Therefore —

Ordered, That the committee of that District have an interview with Samuel Hastings and his tenants and ascertain on what terms they can settle with them, and at what time he will undertake to remove the buildings. The above piece of land belonging to said Hastings taken to widen Washington Street, contains square feet of land, according to a plan of the same taken by A. P. Fuller, Surveyor.

Fire Societies Thanks to.

Resolved, That the Mayor be requested to present the thanks of this board to the several fire societies, and other persons who have volunteered their services to take charge of the Engines, which have been given up, and to render other important services to carry the system of the fire department into effective operation.

Engines.

Ordered, That the further consideration of the proceedings of the several Engine companies who have declared their determination not to co-operate with Engine Company No. 11, be postponed to the next meeting of the board of Aldermen. —

Baxter Front St.

Petition of Daniel Baxter, stating, that Front street, near its junction with Essex street, is very narrow and dangerous for travellers, passing and repassing thereon and praying that the same may be widened. Read and committed to Aldermen Tanner and Jackson, with instructions to have a plan of the land and buildings there to be taken and report.

Bradlee Amphitheatre Washington Gardens

Petition of Joseph P. Bradlee and others, Proprietors of the Amphitheatre, Washington Gardens, praying, that the rules and regulations relative to granting licences for theatrical and equestrian exhibitions may be so far modified, as that they may be licensed for a shorter period than one year, upon paying therefor one hundred dollars per month. Read and committed to Aldermen Bellows, Marshall and Loring, to consider and report.

Snelling Salem Street

Petition of Enoch H. Snelling, and others, praying, that the Common sewer in Salem Street, may be taken up and relaid. Read and thereupon ordered, that notice be published in the newspapers for all persons interested, to appear on Monday, next, seven o'clock P. M. and shew cause, if any they have, why the prayer of said petition should not be granted, and the expense thereof apposed upon those who shall be benefitted thereby.

Appropriation

Ordered, that there be added to certain appropriations as follows viz: to the appropriation for laying and repair of streets, the sum of five hundred dollars; to the appropriation for lamps, oil and superintendence the sum of two hundred dollars; to the appropriation for the

Interest

internal health department, the sum of fifteen hundred dollars and, to the appropriation for the engine house on Pemberton's hill the sum of four hundred and eighteen dollars, forty four cents; - And that there be withdrawn from certain appropriations as follows viz: from the appropriation for repairs of public buildings, the sum of five hundred dollars; from the appropriation of the City Watch, the sum of two hundred dollars, from the appropriation for the house of correction the sum of fifteen hundred dollars; and from the appropriation for primary schools, the sum of four hundred and eighteen dollars, forty four cents.

Came up for concurrence.

Read and concurred.

Order of the Common Council authorizing the City Treasurer to borrow for the use of the City, a sum of money not exceeding twenty thousand dollars, at such times and at such rates of interest as the committee of finance may approve, reimbursable out of the tax of the present year. Treasurer to borrow money.

Came up for concurrence

Read and concurred.

Order of the Common Council appointing monday the tenth day of April next; eight o'clock P. M. for the choice of seven Assessors for the year ensuing, and that the City Clerk advertize for applications for said office ten days previous to the day aforesaid. Came up for concurrence. Assessors.

Read and concurred.

Joseph W. Warren was nominated and appointed a fireman for Ward No. 6. Fireman Ward No. 6.

Fire Clubs

The committee of the City Council to whom was referred the memorial of the "Columbian Eagle fire society" and also of the "Vigilant fire society" offering themselves to come in aid of the fire department in the "saving and protecting furniture, merchandize and other property at fires" and praying, that they may be recognized in their ouc labors by the City authorities and the principles of their co operation with the fire department should be settled, respectfully, report, That the objects of the said societies are wise and patriotic, and that, without admitting the said independent societies as component parts of the fire department, which is understood not to be desired by them, their co operation as proposed cannot fail to be beneficial to the City, and that only two principles seem to be requisite to be settled.

Columbian Eagle

Vigilant

1. That a common badge should be determined upon, in order that they should be known to the Engineers and members of the fire department, and 2d. That they shall thereby be recognized and keep any lines which may be formed, subject always to the orders of the chief, or commanding Engineer.

For these purposes your committee recommend the following resolution for the consideration of the City Council.

By order of the committee. Josiah Quincy, Chairman.

Resolved, That any company of citizens associated for the purpose of general or mutual protection against fires, who are now, or hereafter may be regularly organized & have established rules for their government, satisfactory to the Mayor and Aldermen, and who shall file with the City Clerk a list of the officers and members of their company, and request to be recognized as a company associated for the purposes aforesaid, may be certified by the Mayor to the Chief Engineer

and

and thereupon shall be recognized as such; and a suitable badge shall be assigned to the members of such fire Societe, which shall admit them to pass any lines, which may be formed at any fire; Provided that the same be not prohibited by the special orders of the Chief or presiding Engineer, which orders shall be always respected by the members of said fire societies, the privileges granted by this resolve not withstanding.

Read and accepted.

Sent down for concurrence.

Came up concurred; with the following proviso added viz: "Provided, that nothing herein contained shall be construed to exempt the members of the said fire societies from serving as Jurors, or in the Militia."

Read and concurred.

The committee to whom was referred a communication from the School committee requesting that an appropriation may be made for the purpose of instructing those children in the City of Boston, whose age or want of qualifications by the rules of the Schools prevents them from entering any of the public schools, hereby report; That it is expedient to make an appropriation of one thousand dollars, to be expended in providing and repairing rooms and for the instruction of that class of children in the City of Boston, who are excluded from the public schools by reason of their age or want of qualifications, in such way and manner as the School committee may deem most adviseable. School com^e. Children.

Per order, John Bellows.

Read and accepted. Sent down for concurrence.

Petition of Engine company No. 14. praying that they may be allowed the bounty of forty dollars, notwithstanding they had not a competent number of Engine No. 14.

men

men attached to said Engine when their annual return was made. Read and committed to Aldermen Marshall and Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up, concurred; and the Common Council joined on its part, Messrs Hastings, Bent and James.

Adjourned to Monday next half past six o' Clock P. M.

Monday April 3rd 1826.

Met according to adjournment.

Present The whole board.

Davis New street

Petition of Charles Davis and Jonathan Dorr, praying, that a grant in the Bull pasture may be made, about two hundred feet from Washington street. Read and committed to Aldermen Carnes and Jackson to consider and report.

Washington st. Hastings.

The committee who were directed to ascertain upon what terms the owner & occupants of the land and buildings between Essex street and the Lafayette Hotel would consent to have the fronts of said buildings taken down and rebuilt, ask leave to report, that they have had repeated interviews with Wm. Hastings the owner of said estate but have been unable to obtain his price, or to make any arrangement with him as he is absent to the improvement. Your committee are of opinion that it would be inexpedient to make any further attempts to adjust the damages with Wm. Hastings, but leave him to present his claims in his own

from

form and manner. The occupants of said buildings are Messrs. ~~Rounsdell~~ George Bell, Tailor, rent one hundred and fifty dollars, leased by the quarter; Bowditch & Cummings grocers, rent four hundred and fifty dollars lease expires on the first instant, William Clark Embroiderer rent six hundred dollars lease expires on the first of August next. Charles Hadley Barber rents one hundred and eighty dollars, leased by the month. Theodore Abbot bookbinder, rent two hundred and fifty dollars leased by the year, none of the tenants occupy under written leases; all the aforesaid tenants except Mr. Clark are willing the improvement should be made, commencing on the tenth instant and are content to submit their claims for damages to reference. The estimate of taking down the front of said buildings and rebuilding them in as good condition as they now are, may be estimated at about four hundred dollars. Upon committee therefore recommend the passage of the following order (which is respectfully submitted).

J. Carney, } Committee of the
E. Jackson } Southern District.

Read and accepted, and thereupon Ordered, That Aldermen Carney and Jackson be authorized to cause the front of the buildings owned by Samuel Hastings, and occupied by Bowditch and Cummings, George Bell, William Clark, Charles Hadley, and Theodore Abbot, to be removed, on or after the tenth instant, from the line taken by the vote of this board, passed the twenty seventh ultimo for widening ~~River~~ Washington Street between the Lafayette Hotel and Essex street, and that the said owner and occupants be notified forthwith.

Gentlemen of the City Council,

I appears by the records of the City Council of the third of October last, that the

Mayor's mortgage
Marsh's mortgage

131. The City purchased a piece of land on Eliot street, of Ephraim Marsh, for a watch house, and paid for the same, according to agreement deducting from the purchase money, the sum of seventeen hundred dollars, to remain on interest at five per cent. payable in ten years, being the amount for which the land was under mortgage to Misses Susan & Elizabeth Inches. At the time of purchase, the mortgagees declined taking a City stock for the amount due, and discharging the mortgage. Recently, however, they have acceded to this arrangement, and as it will simplify the state of the City obligations, and clear the land of mortgage, I recommend the adoption of authorizing a City stock to be issued for the above amount, payable at the unexpired term of Ephraim Marsh's note on the discharge of the mortgage above mentioned by Susan and Elizabeth Inches.

Josiah Quincy.

Ordered, That on the discharge of the mortgage held by Susan and Elizabeth Inches, on certain land purchased by the City of Ephraim Marsh, and the delivery to be cancelled of the said Marsh's note for seventeen hundred dollars, the Mayor be and he hereby is authorized to cause a City stock to be issued for the said sum, payable at the unexpired time, expressed in the terms of the said Marsh's note (not exceeding ten years) and the interest payable semi-annually according to said terms of said notes, in favor of the said Susan & Elizabeth Inches. Read & passed.

Sent down for concurrence.

Came up concurred.

Holmes

The committee, to whom was referred, the petition of Charles Holmes praying leave to use the land of the Prison yard, reported, That it is in their opinion inexpedient to grant him the permission asked for, on any terms whatever. Read & accepted.

Letter from Dr. John C. Warren, in behalf of the Medical faculty of Harvard College, and by their direction remonstrating against the alteration contemplated in the Adams School house in Mason Street, by the addition to the same and the erection of an additional story, alleging that the Medical College in said Street will be injured thereby. Read and committed to Aldermen Marshall and Loring with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Isaac Parker, Farnsworth and Dorr. — Warren Medical faculty Mason Street

Ordered, That the committee for advertizing for materials for paving, be authorized to ascertain on what terms the paving in the several districts can be done this present season, and for this purpose, that said committee advertize in the usual manner. Paving.

The committee to whom was referred the petition of Charles Tracey and George Darracott, in behalf of the Boston Rail way Corporation, report, That if the proposed marginal street, from the Market to Sun Street, shall be carried through it will become necessary to take from the land of said Corporation about eighteen feet on the southerly side, and sixteen feet on the northerly side, making eighteen hundred & fifty square feet as per A. D. Fuller's plan. Read and referred to the Committee on the subject of Paving and the New Marginal Street to consider & report. Boston Rail way Tracey.

Petition of Charles Ewer, praying leave to cover the common sewer in Bedford Street, it being necessary so to do; in order to drain the cellars of the houses erected on Ewer Bedford St.

him

him in Soon Place, which he is willing to do, at his own expense. Read and the prayer thereof granted, and referred to the Mayor to see it executed.

Snelling Salem St.

It appearing to this Board, that notice has been given according to the order passed at its last meeting on the petition of Enoch H. Snelling, and others, to take up and relay the Common Sewer in Salem street, between Hull street and Prince street. And now several owners of estates on said street appear, and after a full hearing and mature deliberation thereon. It is ordered, that said Common Sewer be taken up and relaid according to the prayer of said petition, and referred to the Mayor to see it executed.—

Humphrey New Streets

An agreement signed by Benjamin Humphrey, and others, requesting that a street be laid out by the Mayor and Aldermen according to the plan accompanying said agreement taken by S. D. Miller; said proposed Marginal street, to be sixty two feet in width from the easterly end of North Market street, over the flats lying below high water mark to Lewis's wharf, in the direction marked out on said plan; dated March 2nd 1836. And also to lay out and establish a second street of sixty feet in width over the premises of said owners, the course of which is also marked out on the said plan. Read and committed to the committee who have under consideration the former petitions on that subject, to consider and report.

Stearns

Petition of Simon Stearns, showing, that his brother Calvin Stearns, by habits of intemperance and idleness, is in danger of wasting his estate as he is subject himself to want and suffering circumstances, and the City to a charge in

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his support. Ordered, That the said Cabinet be notified to appear 1315.
before this board on Monday next, seven o'clock P. M. and
show cause, if any they have, why the Mayor and Aldermen
should not complain to the Judge of Probate of the County of
Suffolk that a Guardian may be appointed over him ac-
cording to law, by serving him with an attested Copy of
the foregoing order.

The committee of the City Council Whittemore
to whom was referred the Petition of Nathaniel Whittemore, Lambs.
and others, praying leave to build Lambs under a House
for Public Worship, contemplated to be built by them, at
the corner of Seventh Street and Dorchester Street report
unanimously, that the prayer of said petition ought not
to be granted. Read & accepted. Sent down for concurrence.

Came up concurred.

Petition of Jonathan Kinnewell, Kinnewell
and others, praying known, that by an act of the Legis- & Boston
lature of this Commonwealth, passed on the fourth day of Bridge
March last, they with others, and their associates were au-
thorized to erect and build a Bridge from and near Sea
Street to South Boston and nearly in the direction of the
Dorchester turnpike. That by the fifth section of said
act, the City of Boston are authorized to erect said Bridge,
if they shall determine to do so, within three months from
the date of said act. The ~~Petitioners~~ petitioners pray that
a committee be appointed to confer with them on that subject.
Read and committed in the Common Council to Messrs. Bowen,
Clark, Adams, Hallett, Dyer, Waters, Peabody, Torrey,
Rabbell, Barnard, Moore and Foster with such as the Hon.

of Aldermen might join to consider and report. Comm rec'd for concurrence. Read and concurred, and the Mayor, Aldermen Bellows, Marshall, Welsh and Loring are joined.

Mayor's Message Voters

Gentlemen of the City Council,

It appears by repeated applications to this office of Citizens to be admitted to the voting lists, during the elections of this day, that omissions have occurred in those lists. The same course has been adopted the present year, as in all former years, and as is prescribed by law. The Mayor and Aldermen directed the assessors to make out and deliver to them correct and alphabetical lists of all the Inhabitants of the City qualified by the Constitution to vote; those lists were deposited in the Mayor and Aldermen's room more than ten days previous to the election for revision and correction; and they were revised and corrected from time to time, according to law, as to them appeared necessary.

As it appears however that very considerable errors have occurred in those lists, as they were delivered to the Mayor and Aldermen, by the assessors, either in the original lists, or in the printing, and as the subject is of great importance to the rights of the Citizens, I recommend that it should be made an object of distinct inquiry both for the purpose of correcting the present lists and for preventing, by some more specific provisions the occurrence of such errors in future. And as to a satisfactory result, measures may be necessary which lie only within the powers of the City Council, I recommend that this inquiry should be made by a joint committee of that body. Josiah Quincy, Mayor.

Read

Read and committed to the Mayor, Aldermen Welsh and Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on the part, Messrs. Bassett, James, Stimpson, Lodge & Green.

Adjourned to half past eight o'clock, tomorrow morning.

Tuesday, April 4th 1826.

Met according to adjournment.

Present. The whole board except Alderman Bellows.

Ordered, That until the further order of this board, the front fence of Gardiner Greene, Esq. in Common sheet, Pemberton hill, be not removed, but that the back yard fence be set back upon the lines, according to the former vote of this board. Greene Common st.

Whereas it appears by a communication made to this board, signed "William Bellamy, Clerk," that at a meeting of Engine company No. 2, held on the twenty fourth day of March, last, that the said Engine company No. 2, among other things, "Resolved, that they would have no communication with the Engine company of boys, & will not receive from, nor convey water to the Engine managed by them;" meaning as this board understand and are informed, Engine No. 11, the chief part of which company consists of minors above eighteen, and under twenty one years of age, commanded by a Captain of full age, the same being a regularly constituted and admitted company for that Engine by the Mayor and Aldermen; and whereas this board Engine No. 2

have

1837. shaw Mosthonod taking any dipinditive measure on the above resolve of said Engine company No 2. for three ten days past, in the hope, that a sense of character and duty would cause the said Engine company to rescind the above vote, & publicly retract their proceedings in that restect; but no intention of this kind appearing, Therefore:

Resolved, That the said Engine company No 2. be and the same is hereby dissolved, and the members thereof, dismissed from the Engine service.

Jennings. Engine man restored.

This board being satisfied with the tenor of a communication signed Alexander H. Jennings, dated the thirtieth day of March last, and also of a hearing by a letter of William Tucker, Esq. one of the firewards of this city, that he also is satisfied with the tenor thereof; It is ordered, that said Alexander H. Jennings, be and he hereby is restored to the Engine service.

Engine No 2. New Company.

Resolved, that the Mayor cause a company forthwith to be organized to take possession of Engine No 2. and to protect and maintain said Engine until a permanent company shall be organized; and that he proceed forthwith to cause such permanent company to be formed if possible in the vicinity of that Engine house; and if this be not practicable, then that he remove the said Engine to a situation in the city in which a permanent company shall be formed.

Register of deeds

The board proceeded to examine the returns of votes from the several wards given in on the third instant, for Register of deeds, for the county of Suffolk; also

the

the return from the town of Chelsea, and they found the whole number of votes to be 2699.
Necessary to a choice 1350.
Henry Alline Esq. has 2686.

And he is chosen.

Ordered, that the City Clerk give him notice thereof.

Gov. Lt. Gov. & Senators.

The Board proceeded to examine the returns of votes from the several wards, given in on the third instant, for Governour, Lieutenant Governor and six Senators and Counsellors in the District of Suffolk, and found that the whole number of votes given in as aforesaid in the several wards was sorted, counted, recorded, and declaration thereof made; as by the Constitution and Law are directed. The votes are particularly described and recorded in the records kept for that purpose, and the several returns were made out and signed by the Mayor and a majority of the Aldermen and attested by the City Clerk; sealed up and directed to the Secretary of the Commonwealth according to law.

Adjourned to Monday next, half past six o'clock P. M.,

Monday April 10th 1826.

Met according to adjournment.

Present. The whole Board.

Water Sheet numbered.

The Mayor to whom was referred the subject of numbering Water Sheet as recently extended to Broad Street, by the Mayor and Aldermen, reported,

Report

130. Reports, That it is desireable to adopt some principle relative to numbering streets situated and in the condition of Water Street. 1st In respect of its relation to Washington Street. The Mayor proposes that in all new numbering of streets leading from Washington Street the numbers shall commence from Washington Street and in streets leading eastward, the uneven numbers shall commence with No. 1, on the right hand of such street, and the even numbers on the left hand. And that in streets leading westward the same principle shall be adopted. Beginning at Washington street, the uneven numbers shall be on the right and the even numbers on the left hand.

Streets
Numbering of

2.d In respect of streets, like Water Street, in which the lower part is already a business street and thickly built with stores which the upper part is yet occupied by houses destined for families. The Mayor proposes that the principle adopted shall be that the whole length of each side of the street, reckoning from Washington Street, to the part already thickly built upon as stores should be divided by twenty, allowing one number on each side for every twenty feet; beginning the numbers of the stores at the number which in each case is given by such division. Thus in the case of Water Street it is found that there is on the south side, reckoning from Washington street to Bond's new block of stores, four hundred and eighty feet of building front; this divided by twenty, gives twenty four. And allowing double for the uneven numbers, will give about 51 for the first number on said Bond block. On the north side there is five hundred and forty feet, from Washington street, which divided and allowing as above gives No. 56, as the first number on Phillips block on

Water

ater Street. On this subject the Mayor reports, that the
eneral interest of the store holders is that the numbers, whatever
it is should be permanent; and for this reason it is better
in these cases that a high number should be taken in every
case, even should the street when filled with stores or buildings
not require so many intermediate numbers as in the adoption
tion of the above principle may be given. If the above be
cceptable to the board, the Mayor proposes the following order
or its adoption. Josiah Quincy.

Ordered, That the streets leading from Washington
Street be numbered in every instance, beginning from that street,
the uneven numbers to be on the right hand, and the even
number on the left.

Ordered, That the first number on Phillips' block
on the left hand of Water Street be 36, and the first number
on Bond's block be 31, and the stores be regularly numbered
on each side of said street to Broad Street with even &
uneven numbers beginning at said numbers respectively.

Read and accepted.

The committee on the petition of Jos. P. Bradlee and others Proprietors of the Amphitheatre, Washington Gardens, praying that the rules and regulations relative to granting licenses for theatrical and equestrian exhibitions may be so far modified as that they may be licensed for a shorter period than one year upon paying therefor, one hundred dollars per month,— Report, That they are unanimous in their opinion, that the prayer thereof ought not to be granted.

By order of the Committee. J. Bellows, Chairman.

Read and accepted.— Bradlee Amphitheatre Washington Gardens.

Lamb
Hale & Doane Sts.

The joint committee of the City Council to whom was submitted the petition of Thomas Lamb praying that the passage way leading from Hale to Doane streets, and passing between the estates of John N. Bovill and said Lamb may be discontinued and permission given him to build upon the same. Have given to this subject that attention which the importance of ~~the~~ it seems to require & are of opinion that the public good does not require the said passage way to be any longer kept open. The committee therefore recommend that the prayer of the Petition be granted: Provided that he shall first be a good and sufficient bond secure the City from any loss or damage which may be incurred by closing the said passage way or permitting him to build thereon, and further that he pay into the City Treasury the sum of fifteen hundred dollars to be paid into the hands of the City Treasurer to be by him applied towards defraying any expense that may be hereafter occasioned by widening Doane street. For the Committee. Jam. Carney.

Read and accepted. Sent down for concurrence.

Came up concurred.

Crombie
North Allen & Perry St.

Petitions of Benjamin Crombie praying that a committee may be appointed to examine North Allen Street and Perry Street for the purpose of considering the expediency of making some alteration in the elevation of those streets. Read and committee to Aldermen Welsh and Loring to consider and report.

Hastings &c.
Washington St.

Petition of Samuel Hastings, the owner Bowditch, Cummings and others tenants of buildings corner of Elm

and

and Washington streets part of which have been taken to widen 1142
the latter street, praying that the removal of said buildings
may be postponed to the first day of April A. D. 1875. Read,
and committed to Aldermen Carney and Jackson, to consider
and report.

Petition of Josl Shipley and others, Shipley
praying, that the westerly end of Myrtle Street may be Myrtle St.
reduced so as to correspond with the Houses in that part
of said street, the sills of which they were directed to
place in their present situations. Read and committed
to Aldermen Welsh and Loring, to consider and report.

Petition of Samuel Jackson drawing Jackson
master, praying to be licensed to exhibit a series of drawings License
executed by himself, illustrating the more abstruse principles
of perspective at his drawing Academy No. 166. Washington
Street. Read and license granted.

Order of the Common Council com- Engine
mitting the Petition of Engine Company No. 5, praying that No. 5.
they may be allowed the last annual premium although
their company at the time said return was made, had
not the competent number to entitle them to the same
to Messrs Hastings, Bond and James, with such as
the board of Aldermen might join, to consider and
report. Came up for Concurrence. Read and Concurred,
and Aldermen Bellows and Oliver are joined.

Charles Bond and James H. Metcalf Firemen
were nominated & appointed firemen for Ward No. 4. Ward No. 4.

Voting lists

The committee of the City Council, to whom was referred the communication of the Mayor, on the subject of the errors in the voting lists, respectfully report, That they have examined those lists, and the causes of those errors, and after a personal interview with the Assessors, are satisfied, that the uncommon number of omissions in the voting lists have been occasioned by accidental causes, growing out of the increase of our population and the consequent increase of business, which have devolved upon the Assessors, at a moment when, by the sickness of one of their number, the duties of the whole board were cast upon two of its members. The effect of these accidental circumstances was to delay to an uncommonly late period the getting out the taxes, in consequence of which the business of settling questions of abatements, and of answering applications of owners of real estate, relative to the apportionment of assessments among tenants was brought into immediate contact with the business of correcting the voting lists. This accumulation of business, conjoined with the loss of one of their number by sickness, as above stated, was the occasion of many of those inaccuracies. Your committee, however, have reason to believe, that the diligence & fidelity of intention of Mr. Greene and Mr. Webb, the two acting Assessors, have been examplary; and that the errors so far as they are attributable to the preceding causes, have in fact, resulted from their great anxiety to relieve the City from expense, or inconvenience, in consequence of the sickness of their associate; and which induced them to take upon themselves an excess of extraordinary labor, in detail, beyond what it is probable, within the time allotted, it was practicable for two persons accurately to fulfil. — In addition to the above

Causes

causes of a temporary and accidental character. There are others of a permanent nature and which it is the duty of the City Council to consider and as far as in their ~~xxxxxx~~ power to obviate and diminish; but which above all it is the duty of the Citizens themselves to understand and to realize; and the remedy for which lies only in their own vigilance.

Mistakes in the voting lists, being detected chiefly in the heat and under the excitement of elections give rise to suspicions of intentional omissions and malpractices which are utterly without foundation. It is therefore the common duty of every citizen and of every party, to dispose itself of a distant apprehension of the intrinsic difficulties of the subject; since all, in their turn, may be made liable by the same inevitable causes to the same unjust suspicions.

In a great City, the population of which is constantly changing and constantly increasing, perfect accuracy in the voting lists is, in the nature of things, unattainable. With respect to all that class of citizens, who change their residence, or who become inhabitants, or who come of age within the year, errors cannot fail to occur, for reasons obvious and inevitable. Even permanent and fixed inhabitants will sometimes be omitted, owing to the accidents which occur in every new perambulation of the City, by the officers; or in writing and printing transcripts of the names of eight or ten thousand voters. It is true that omissions of this last kind are little likely to occur, and in fact seldom happen. But the safe principle, which every citizen ought to adopt, and by which he ought to act is that there is no absolute certainty that his name is on the voting lists without a previous personal inspection of those lists. Opportunities for this

inspection

1145. Voting Lists.

inspection ought in the opinion of your Committee to be increased by an earlier preparation and longer exposure of them for such inspection. The assessors lists, which they are required by law annually to make out and deliver to the municipal authority of the town, or City, are substantially the evidence of the right of the Citizen to vote at any election. The correctness of those lists depends upon their coincidence with the books of the assessors. Of this coincidence the assessors are the legal certifying officers. The comparison of the lists with the books of the Assessors is the only criterion of the accuracy of those lists in the first stage of proceedings. The revision and correction of any error in those lists, by the Mayor and Aldermen, must depend upon the evidence adduced to them, by individual Citizens, whose names have been omitted. Without such evidence they have no authority. The lists and books of the Assessors, are, necessarily, with them, in the first instance, conclusive. Between the lists and books of the assessors there is no reason to anticipate any important variance. Nor yet between the written and printed lists of the assessors. Comparisons, in both respects, are the duty of the assessors, who are responsible in each case for their accuracy. In point of fact, your committee after examination do not find, that the errors, which have this year occurred in the voting lists, are, in any important degree attributable to these causes. The chief sources of these errors lie in the books of the assessors themselves, and are attributable to a variety of circumstances, incident to the subject matter, and not wholly to be obviated or prevented, by any vigilance or desire of accuracy, however extreme. Among these circumstances the following are the most common. 1. The manner, in

which

which the inquiries on which the books of the assessors are founded are necessarily made. The inquiries are made by the assessors, at the dwelling houses of the Inhabitants often when the heads of the family are absent from home. The information they receive is derived, necessarily from domestics, who often mistake Christian or misspel surnames; or forget members of the family. This particularly the case, with respect to those who are temporarily resident in them; or boarders; or domestics. In relation to which class mistakes most frequently occur. — 2d The changes of residence, which take place after the perambulation of the city by the assessors has terminated. — It is plain, that after the assessors have finished their perambulation, they have no means of knowing the changes which take place, unless the individual gives notice of it. All errors of this character, arising from the acts or neglect of the Citizens themselves as well as those arising from misinformation of domestics are not attributable to the assessors. — 3d Persons moving into the City, from other towns, or who come of age subsequent to the perambulation above mentioned. The predicament of these persons is plainly the same as the preceding. If they are not on the lists, when they are entitled to be, they have none to blame but themselves. — 4th A very common source of error is the case of the withholding, at boarding houses, either through ignorance or wilfulness, the christian names of the boarders. These persons are often taxed by their sur names. The officers who collect the taxes ascertain the Christian names. But this is done often too late for entry on the voting lists, and without return made to the assessors. To shew the extent of this source of error it is sufficient to

State

147. State, that in one boarding house the names of ten persons appear in this predicament. This general view of the causes of error suggest the following remedies as the most obvious and efficacious. 1st The increase of the number of permanent assessors. Your committee are satisfied that the duty is too arduous and great to be performed by three persons only. Whether four or five be the proper number, must be left for the wisdom of the City Council to decide.

2d. A systematic preparation and printing of the voting lists, as early as the first of March, according to law; and the allotting of all the intermediate time previous to the election for the process of correcting and revision and inspection of the lists. 3d. Above all a more general and impressive sense on the part of the citizens themselves, as to the duty of inspecting, each for himself, the voting lists, previous to elections, particularly, previous to that in April; at which election, the lists being new, inaccuracies are most likely to occur. All which is respectfully submitted.

By order of the Committee. Josiah Quincy Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Slack Ward room Ward 12.

The joint committee to whom was referred the consideration of the subject of Ruggles Slack, and others, for the use of the ward room, in the school house in Ward No 12, for preaching on the Sabbath and for the singing society, one evening in a week, have attended to that duty and ask leave to report, That in the opinion of your Committee the ward room may be so improved and occupied without detriment to the public interest or in-

Convenience

convenience to its accommodation. A Joint committee therefore recommend to the City Council that the prayer of the Petitioners be granted at the rate of fifty two dollars per year, and your committee recommend further, that the Committee of the Northern district be and they hereby are directed to carry the same into effect, upon such conditions as in their judgment may be most conducive to the Public good. Which is respectfully submitted, for the Committee.

Daniel Carney.

Read and accepted. Sent down for concurrence.

Came up concurred.

The committee of the City Council to whom was referred the subject of the act of the Legislature, relative to juvenile offenders in the City of Boston, respectfully report, That having had an interview with the Directors of the House of Industry, and examined the house lately erected at South Boston, a part of which is calculated and designed for a house of correction; they are of opinion, that a part of it may well be applied to the purpose of being made a receptacle for juvenile offenders, in conformity with the provisions of that act, and that for the commencing of the transfer to that house and classification and instruction nothing more is necessary than for the City Council to give the necessary authority to the Directors of the House of Industry under whose direction it seems adviseable that the institution should be commenced. From all the information that your committee are able to obtain it is not probable that provision need be made at present for more than fifty inmates. Nor is it likely that more than half that number will become inmates the present

Juvenile Delinquents

year

1840. year. Previously however to any transfer, furniture must be
Juvenile provided and some general preparations made. In order to put
offenders the subject into a general course of proceeding, the following reso-
lutions are respectfully submitted for the consideration and adop-
tion of the City Council. By order of the Committee.

Josiah Quincy, Chairman.

Resolved, That the Directors of the House of Industry be and hereby are requested to procure and lay before the City Council, as soon as may be, an estimate of the expenses which will be necessary to prepare for the reception of juvenile offenders, such parts of the House at South Boston, recently erected, specifying the particulars of such estimate, including furniture, provision, days of keeping and alterations, if any be deemed requisite; and that this be made on the basis of the support of fifty inmates through the year, and that they also be requested to inform the City Council, when in their opinion it will be practicable to commence the said establishment.

Resolved, That the Directors of the House of Industry be and hereby are appointed, until the further order of the City Council, Directors of the House for the reformation of juvenile offenders, in conformity to the act of the Legislature entitled "An act concerning juvenile offenders in the City of Boston." And that they be requested as soon as the House mentioned in the preceding resolve is furnished and prepared for their reception to give notice thereof to the Mayor and Aldermen, and to the Justices of the Police Court to the end that measures may be taken to carry the provisions of said act into effect.

Read and accepted.

Sent down for concurrence. Came up concurred with an amendment, by striking out the last resolve. Read & concurred.

Whereas the fourth day of July, will complete the period of fifty years, since the declaration of the Independence of the United States; an event to which, under Divine Providence, the prosperity and happiness of the people of these States are chiefly to be ascribed. Whereupon ordered, that the President, Messrs. Curtis, Brooks, Barry and Hall, with such as the board of Aldermen might join, be a committee to consider and report, what measures ought to be adopted by the City Council, for a more solemn and impressive celebration of the approaching anniversary. Came up in concurrence. Read and concurred, and Aldermen Bellows, Oliver and Robbins are joined. Independence.

The committee appointed to take into consideration the Petition of Charles Davis and Jonathan Dorr, for a street in the rear of the Bull Pasture, so called, have attended to that duty and ask leave to report, that having met the Petitioners and viewed the premises, and are of opinion that it is for the interest of the City to grant the prayer of the Petitioners; but inasmuch as it will be necessary to make an exchange of land to carry the project into effect, your Committee recommend, that the subject be referred to the Committee on Neck lands. Which is respectfully submitted.

Daniel Carney } Committee of the
T. Jackson } Southern District.

Read and accepted, and thereupon referred to the Committee on Neck lands, to consider and report. Sent down for concurrence. Came up concurred. Davis
New Street.

Notice was received from the Common Council, that Messrs. Crowninshield, Stevens had resigned their seats at that board. Members of Com: Council resign.

Assessors. Permanent assessor. The several applications for the office of Read and sent down.

Five to be chosen & Commence. Ordered, that there be chosen for the ensuing year, five Permanent Assessors. Sent down for concurrence. Came up concurred.

Assessors chosen Agreeably to assignment, the board proceeded to choose by ballot, five Permanent Assessors, and the votes being taken, it appeared that Messrs. Francis Green, Nathan Webb, John Stevens, Samuel Norwood and Lynde Walter were chosen. Sent down for concurrence. Came up concurred in the four first named, and instead of Lynde Walter, the Common Council elected Lewis Crown. Came up for concurrence. The board again proceeded to elect by ballot a fifth assessor, and the votes being taken, it appeared that Lynde Walter was again chosen. Sent down for concurrence. Vide further proceedings April 24. 1826. Vol. 166.

Assistant assessors to be furnished with Lists. Ordered, that the Assessors be required to furnish each assistant assessor, annually, and within thirty days after said assistants are chosen, a list of all the names of persons and Co-partnerships in the City, who were taxed the preceding year, for personal property, to the amount of ten thousand dollars and upwards, with the sum amount they were severally taxed for personal property, placed against their respective names. Sent down for concurrence. Came up concurred, with amendments. Read and now concurred.

Vide pa. 371.

Engine No 5 List of members of Engine No 5, approved & filed.

An ordinance relating to the removal of House offal, in the City of Boston. Read and Passed. House offal.

Sent down for concurrence.

Came up concurred.

The committee of the Board of Alderm. who directed by two several orders passed the City Council September 8th and November 17th 1825, to build a Dyke across the City's flats, beginning at a point near Baldwin's mills and running thence same in a direct line to Fayette street, conformable to a plan approved by the City Council October 24. 1825, with certain provisions and conditions in relation to the individual owners of flats adjoining to and bounded north by the City's, made a report of the progress of the work, and praying for an additional appropriation in order to complete the same. Read and sent down. Dyke

Ordered, That the committee on Court House be instructed to consider the expediency of altering the interior of the Court room, and furnishing it with a new Carpet, and also providing a new bell for S. Building. Court House

Ordered, That the committee on providing fire Buckets be instructed one Hundred additional pair, provided the same be obtained for the same price as the last. Fire buckets

List of members of Engine No 13. Read & approved, the same being reported by the committee who were instructed to get a new company for said Engine. Engine No 13.

A communication was received from the members of Engine No 10, declaring that Engine No 10.

the

The resolve of said Company passed on the 24th ultimo; respecting to receive from or carry water to Engine No. 11, or otherwise co-operating with said Engine, be rescinded.

Adjourned to Monday next half past six o'clock P. M.

Special meeting.

Wednesday April 12th 1826.

Present The whole board, except Aldermen Carney and Welsh.—

Salaries

In order to establish the compensation of the Mayor and other officers of the City of Boston & County of Suffolk. Came up for concurrence. Read and concurred with amendments. Sent down for concurrence. Came up nonconcurred, com^e of conference vide folio 244

Plan of S. Boston.

Ordered, That the Mayor be authorized to procure from Mather Withington, a Plan of South Boston, with the streets as laid out by agreement between the Proprietors of the land, and the Selectmen of Boston.

Ewer

Washington St. Central Court.

Petition of Charles Ewer for liberty to take up and lower, if found necessary so to do, the common sewer in Central Court, and Washington street, between said Court and Summer street. Read and thereupon ordered, that all persons interested be notified to appear before this board, on Monday next, seven o'clock, P. M. by publishing notice in one or more newspapers, printed in the City, that they may then & there appear and shew cause, if any they have, why the prayer of said petition should not be granted.—

Petition of Benjamin Adams praying 154.
that a committee may be appointed to consider the ex- Adams
pediency of widening Doane Street. Read and committed Doane St.
to Aldermen Marshall, Loring and Robbins, to consider and
report.

Bond of Henry Allen Esq. Register Reg.r of deeds
of deeds in the County of Suffolk, William Allen and
Ebenezer Marsh Sondsmen. Read and approved.

Ebenezer Alexander, licensed as an Auctioneer
Auctioneer, No. 81 Washington Street.

The following firemen were nom- Firemen
inated and appointed for Ward No. 9. viz.: Ward No. 9.
Paul Rice, Daniel M. Dillaway, George W. Wilkins,
Isobold Hanman, Theodore Dalton, John Sargent, 2nd.
John Dealer, Amasa Potter, Christopher Foster,
Haddens H. Kendall, George Peirce, Paoli Brooks,
David Richardson, Francis Bentley, William H. Hoogs,
and Stephen Clark.

Adjourned to Monday next half past six
o'clock P. M.

Monday April 1st 1826.

Met according to adjournment.

Present — The whole board, except Alderman Bellows.

Foster — Petition of William Foster, praying that a nuisance which he complains of, on a passage way connected with an estate at the corner of Purchase and Broad Streets in consequence of the drains being placed on one side of said passage way. Read and committed to Aldermen Bellows and Robbins to consider and report.

Purchase & Broad Streets.

Hastings — The committee to whom was referred the petitions of Samuel Hastings and his tenants, praying that the removal of their buildings taken to widen Washington Street may be postponed, Report, that they have had an interview with the petitioners and endeavoured to persuade them to agree upon a time that would be most convenient to them all; but they were not disposed to fix upon any time, their object being the same it was the last year, and the same it will be the next, viz: an indefinite postponement. Your committee are however of opinion that a reasonable extension of time would accommodate them: they therefore recommend the passage of the following order, which is respectfully submitted.

Washington St.

D. Carney, T. Jackson } Committee of Southern District.

Ordered, that the committee of the Southern district, who were authorized by an order which passed this board on the third instant, to remove the fronts of the buildings between the Lafayette Hotel and Essex Street on or after the tenth instant, be directed to postpone the execution of said order until the first day

day of June next and that the owner and occupants of said buildings be notified accordingly. On the said first day of June next, the Committee of the Southern District are hereby ordered, to cause the fronts of said buildings to be removed, as described in an order which passed this board on the third instant for widening Washington Street from the Lafayette Hotel to Essex street.

Neck lands Plan of.

The committee of conference on the part of this board on the subject of adopting a plan of neck lands. Reported, that they had met the committee on the part of the Common Council and agreed, they accordingly recommend, that this board recede from their former vote, & concur with the Common Council, in adopting said plan. Report accepted, and ordered accordingly.

Baxter Front Street.

The committee on the petition of Daniel Baxter, and others, praying, that Front street near its junction with Essex street may be widened, reported, that the whole board view the same at some convenient time. Read & thereupon resolved, That the whole board will meet on the premises on Thursday next 8 o'Clock A.M. for the purpose of considering the necessity or expediency of widening said Street, at that place, and that Messrs. Samuel Hastings, Benjamin Ysalon, the heirs of Moses Bass; William Sullivan & Thomas Haskins be notified, that they may take notice and govern themselves accordingly.

Hubbard Howard Street.

Petition of John Hubbard, & others, praying, that Howard street may be widened, by taking off a part of Haskins' stable, and that said street may be regained. Read and thereupon resolved, that the board will take the

land

land of said Haskins, provided Elijah Morse, Esq. will give a deed of a strip of his land to widen said street; the City will set back his fence and remove the portico, and the committee of the district are instructed to see it executed, according to a plan of the same taken by S. D. Fuller, Surveyor.

Ewer

On the petition of Charles Ewer,

Central Court & Washington St.

for liberty to take up, and relay the Common Sewer in Central Court, and Washington Street, from said Court to Summer Street. And now it appearing that notice has been given agreeably to the vote of this Board, passed on the 12th instant, and no person appearing to object. It is thereupon ordered, that said Common Sewer be taken up and relaid according to the prayer of said petition and the expense apportioned upon those who shall be benefitted thereby and referred to the Mayor to see it executed.

Firemen Ward No. 9.

The following additional firemen for Ward No. 9, were nominated and appointed viz: Charles H. Chandler, Joel Clark, Elbridge Tidd, John Sweetser, Abraham Brooks, and Benjamin Buckstead.

Hose Co. No. 4

The following named persons were nominated and appointed as a Hose Company viz: John Day, William B. Kendall, Albert Kenard, John S. Luscomb, S. D. Childs, Lemuel Bingham, Ebed Whiton, Edwin Brown, Bart. Hawkes, Henry Cayres, George Burrill, John Farrington, Thomas Silley, Edward Parr, Elbridge West, John Pilbrick and Philip Marcoe.

3

New Streets

The Surveyors of Highways, respectfully represent to the City Council, that plans have been presented to the City Council of two streets to be laid out leading from the new improvements lately made by the City near Faneuil Hall Market. The location of these streets will appear by the plans herewith submitted to the Council; one of the streets is to terminate at Lewis' wharf; the other is to unite the Exchange and thence ultimately through. The upper northerly street to be fifty feet wide. The lower or southerly sixty five feet wide. The proposition of the ~~xxxxxxxx~~ Proprietors of the land made to the Surveyors of Highways is, that both the streets should be laid out by the City authorities and both be finished at the same time. The Proprietors offer all the land, on the eastwardly side of the Creek, fifty feet wide, so far as it respects the upper or northerly street, and also to make the street as far as the Creek, at their own expense, requiring only of the City that it should lay out and make a street from the new thirty five feet street where the Roe buck passage was, forty feet wide to and over the Creek to meet the fifty feet street to be made by the Proprietors. As it respects the lower or southerly street, the proposition of the Proprietors is, that the City shall lay out and make the street thro' the whole length, in consideration of their giving the land. With respect to the upper street, the Surveyors of highways apprehend that the proposition is in its form, unobjectionable; for the City being in the nature of Proprietor of the land over which it is made, has a common interest with the other Proprietors in making the contemplated improvement, and the sole expense, which in such case, the City

would

would be called upon exclusively to assume would be to build the bridge which might be necessary over the brook, to connect the different parts of the street. The determination of the Selectmen to make the laying out of both streets contemporaneous and dependent on one another, has placed the subject in a situation too important and responsible to be decided by the Surveyors of Highways, without a previous sanction by the City Council. The lower or southerly sixty five feet street is indeed very desireable and important to the commerce and convenience of the City. The cost of making that street cannot be less and probably may exceed twenty five thousand dollars. Whether the whole or any part of this expense ought to be borne by the City is a question peculiarly within the jurisdiction of the City Council; to whom the Surveyors of Highways submit the subject for consideration and decision. Josiah Quincy, Mayor

Resolves upon the foregoing, passed in Common Council. Came up for concurrence. Read & concurred with amendments. Sent down for concurrence. Came up concurred. Vide post page 247.

Faneuil Hall Market. Welch land.

The committee of the City Council on the extension of Faneuil Hall Market, respectfully report, That the City possesses a considerable tract of land back of the North stores, on North Market street, and extending to Ann street, which this committee are now preparing to offer for sale, conformably to the instructions of the City Council; that in laying out the land of the City for this purpose they have been forcibly impressed with the policy and economy of obtaining by purchase the land of William Welch, which adjoins the land of the City on its east and north sides, &

bounds

Welch's land on Ann Street.

bounds about forty feet on Ann street, and about thirty feet on the Creek. An inspection of the annexed plan, on wh. Welch's land is projected with red ink will exhibit the relative position of that land, and the land of the City.

It will be perceived that the possession of Welch's land, enables the City to close a passage way, which will hereafter be useless, and which without such purchase must be kept open. The price demanded for Welch's land is twenty thousand dollars. It contains four thousand, nine hundred & sixty nine square feet of land, which makes the price of the land equal to about four dollars the square foot.

If to the land of Welch be added the amount of land in the passage way of which this purchase will enable the City to avail itself, viz. twelve hundred and forty nine feet of land, the City will acquire by this purchase the right to sell six thousand two hundred and fourteen feet of land, which at the price of twenty thousand dollars for the whole land, reduces the price to the sum of about three dollars and twenty one cents the square foot. The advantageous manner in which a command of Welch's land will enable the City to lay out its own for sale will be seen by inspecting the plan.

The importance of the purchase is made more apparent from the circumstance that a new street forty feet wide is contemplated to be laid out by the Surveyors of highways back of the North block of stores in connexion with a street fifty feet wide, offered by the Proprietors of land on the east side of the Mill Creek to extend to Exchange wharf. In which case the lands of the City will be of a very inconvenient & small depth without Welch's land, & with this land cannot fail to sell at prices, which will be an ample indemnification

to

to the City. In this case the committee want neither an appropriation nor yet to create a debt, the sales will unquestionably enable the committee to pay the purchase money forthwith. All that is wanted is an authority to purchase & an authority to sell the land when thus purchased. As the committee have no question of the importance of this operation both as it respects its effect as an improvement, as well as on the market price of the present lands of the City, they recommend the following resolution for the adoption of the City Council. All which is respectfully submitted

By order of the committee. Josiah Quincy. Chairman.

Resolved, That the committee of the City Council for the extension of Faneuil Hall Market &c. and they hereby are authorized to purchase the land owned by William Welch, on Ann street, and on the easterly as represented on a plan taken by S. P. Fuller, and dated the twenty fifth day of March last, provided the same can be purchased at a price not exceeding twenty thousand dollars, and that they also be authorized to sell the same, as soon as they deem expedient, in connexion with the other lands of the City lying between the North block of stores and Ann street.

Read and accepted and the resolve passed. Sent down for concurrence. Came up concurred.

James

The committee on the petition of Israel James, reported, that the facts stated in the petition are correct, and that the prayer thereof is reasonable, and they recommend that the sum of fourteen dollars be paid to said James according to his said petition. Read & accepted. Sent down for concurrence.

Came up concurred.

The committee on the petition of William Sullivan and others, for the use of a piece of land whereon to erect a house for gymnastic exercises, report, that as the petitioners represented to them, that the institution which is contemplated by them, is to be of a public nature and for the use of all the Citizens who may choose to avail themselves of it, that the prayer of the Petition ought to be granted, and that a piece of land in the situation proposed, by them, or near to it, be alloted to the Petitioners under the directions of the Mayor and Aldermen, for the purposes and under the terms and conditions mentioned in the Petition, and for the time therein proposed. Tho. Welsh Jr.

Sullivan Gymnastic exercises

Read and accepted. Sent down for concurrence.

Came up concurred.

Ordered, that the vote passed this board on the fourth instant, relative to Gardiner Greene's farm on Leamnon street, be and hereby is rescinded.

Greene Common St.

The committee on the subject of making specific appropriations for the year ensuing made a report.

Appropriations

Read and sent down

The auditors report of the appropriations and the balances which remain unexpended.—

Auditor

Read and sent down

List of members of the several Engine companies No. 1. 2. 18. read accepted & filed. Ordered that Engine Co. No. 2. be permitted to increase its number to forty five.

Engines No. 1. 2. 18.

Adjourned to Thursday next 8 o'Clock A. M.—

Thursday April 20. 1826.

Met according to adjournment.

Present - The whole board, except Alderman Marshall.

Front street

The board viewed Front street, near its junction with Essex street. And it appearing that all persons interested have been duly notified to appear and show cause, if any they have, why said street should not be widened; and after a full hearing of the parties and mature deliberation being thereon had - Resolved, That the safety & convenience of the Inhabitants require that Front street should be widened, and the same is laid out and widened in manner following viz:- Beginning at the northwesterly corner of land belonging to Benjamin Wheaton; thence running easterly five feet and eleven inches on said Wheaton's northerly line; thence running southerly thirty four feet to said Wheaton's southerly line; thence running westerly on said southerly line, five feet, to the present line of Front street; thence on said last mentioned line thirty four feet to the place of beginning; taking one hundred eighty five feet 7/12 square feet of said Wheaton's land into said street, as marked on a Plan of part of Front street taken by S. P. Fuller, Surveyor dated

Adjourned to Monday next, four o'clock, in the afternoon.

Met according to adjournment.

Present. The whole board.

Order of the Common Council, authorizing the Mayor to execute and deliver to Thomas Lamb, a release of all the right that the City hath in a strip of land lying between the estates of John W. Boott & Thomas Lamb and now constituting a passage way from Tudor street to Doane street; provided the said Lamb shall pay to the City Treasurer the sum of fifteen hundred dollars, and shall deliver to the Mayor a bond with surety to the satisfaction of the Mayor and Aldermen to indemnify the City against any loss or damage by permitting said passage way to be closed etc. Came into for concurrence. Read and concurred. Lamb Tudor & Doane Sts.

Ordered, that the Mayor and Aldermen Welsh be authorized to carry into effect a resolve of the City Council passed on the twenty fourth day of Oct. last, authorizing the Mayor to execute to William Pratt & David Hill or either of them, all the City's right in and to a certain piece of land, therein described upon their complying with the terms and conditions therein specified. Pratt & Hill Milk street.

Order of the Common Council appointing Messrs. Curtis, Barry, Peabody, Lodge and Gray, with such as the Board of Aldermen might join, a Committee to consider the expediency of applying to the Legislature so to amend the City Charter as to provide that no person who shall have been elected and shall duly qualify himself City Charter amendment.

to

165. to serve as a member of the board of Aldermen or Common Council, shall during the term for which he shall have been so elected, be eligible to any office, the salary of which is payable out of the City Treasury. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Welsh and Robbins are joined.

Holland's Long Wharf. On the petition of the heirs of John Holland, it is ordered, that the line of the street sixty five feet wide, running at right angles with North and South Market streets, as taken on the twenty eighth day of July A. 1825, be so far altered as that when in running Southerly from the Creek, the easterly line of said street shall come to the land of said Holland's heirs, sixty feet distant from the present front of the stores on Long Wharf, it shall deviate westerly two feet, and thence run on a straight line to the point established as the south east corner of the said sixty five feet street by the said order of the Surveyors of Highways in July 1825, upon condition that a circular sweep taken four feet from each corner of said Holland land shall be made and no part of any building erected shall extend over the land excluded by said circular sweep; but the land so excluded shall belong to the City of Boston, and also that the price of seven thousand dollars, agreed to be given for the westerly store belonging to said Holland's estate shall be reduced in proportion to the number of square feet of said store, which shall not have been taken by the Surveyors of Highways in laying out the street aforesaid.

Miller declines. A Com[n] was rec[d] from Lynde Walter, Esq. declining to be considered a candidate for the Office of Assessor.

Order of the Common Council ap- Assessor.
pointing Nathaniel Greenough, as a fifth Assessor of taxes.
Came up for concurrence. Accordingly the board proceeded
by ballot to the choice of a fifth Assessor, and the votes
being taken, it appeared that Henry Bass, was chosen.
Sent down for concurrence. Came up concurred.

The Mayor reports that prior to Firemen
the receipt or knowledge of the forming a company of firemen Ward No. 9.
for Ward No. 9. by Henry Goodrich, Zach. Harris and others,
the board had already accepted a full company of firemen
for said Ward. He therefore recommends that the thanks
of this board be presented to those gentlemen who have offered
themselves as firemen as aforesaid, and that they be informed,
that a company having been previously accepted for that ward,
it is not in their power of the board to accept their pro-
posed services. Read and accepted and ordered accordingly.

Ordered, that the Mayor be authorized Fire department
and requested forthwith to issue his proclamation declaring that
the fire department of the City has been duly organized agree-
ably to the provisions of the act of the Legislature of the Com-
monwealth of Massachusetts, entitled "An act establishing a
fire department in the City of Boston." And the ordinance of
the City Council entitled "An ordinance for the preventing
and extinguishing of fire and establishing a fire department"
and that the same will go into full operation on the twenty ninth
day of April instant.

Publication of James C. R. Bangs for a license Bangs
to exhibit a Cameleon, at Julien Hall. Granted under the further order of Council. Cameleon.

Houghton. The committee to whom was referred the subject of granting a sum of money to the widow and Children of Jonathan Houghton a Watchman, who was murdered while in discharge of the duties of a Watchman of the City, report, that in their opinion there should be granted to the said widow and children of said Houghton the sum of eighty eight dollars, as follows two thirds to his children, & one third to Mrs Houghton his widow, and the Mayor be authorized to draw his order for the same in monthly payments on the City Treasurer. Thomas Welsh, Ind. Per order of the Comtee. Read and accepted, in the Common Council. Came up for Concurrence. Read and concurred.

Prince St. Common Sewer. The auditor of accounts exhibit of the estimate of constructing a common sewer in Prince street with an assessment upon the several owners of estates benefited thereby. Read and passed, and ordered to be assessed and collected accordingly.

Orator 4th July. The board made choice of the Reverend Henry Ware, Junior, to pronounce the oration on the next anniversary of Independence. And that the Mayor be requested to notify him thereof.

Goddard Milk St. Ordered, that the committee of Wards 1, 8 & 9, be authorized to cause the building of Goddard which he is about building on Milk street to be set back on the lines of said street, and that he be allowed one dollar and seventy five cents per square foot.

Common Wards. Ordered, that the Mayor, Aldermen Bellows Loring, Welsh & Robbins, be a standing committee on the Common Wards.

Ordered, That the Committee on the Common and Malls be authorized to advertize for stone to be placed in and around the Frog Pond, in the Common. Frog Pond.

The committee appointed on the application of John Heard, Junior, for the purchase of a strip of land in Court street, in front of his lot, with full powers to agree with said Heard upon the price thereof, Report That they have attended to the duty assigned them, and after hearing said Heard's statements on the subject, your committee, with considerable deliberation, unanimously fixed the price at eight dollars per foot, and authorized a sub committee (Messrs. Fellows and Curtis) to carry the decision of your committee into effect, but on conference with said Heard, he declined giving this price on the ground of its extravagance, and offered to pay a sum equal to about three dollars and fifty cents a foot. Heard Court street.

Your committee deem it their duty to state the reasons that have influenced them in their decision. They were of opinion that said Heard ought in justice to the City, to have contributed a considerable sum towards the expensive improvements in Court street, his estate having derived great benefit therefrom, but having no power to assess any portion of the cost of this improvement on other owners of estates in Court street, it was finally determined by the committee to demand no more than the fair ~~average~~ value of the whole lot, and which price your committee are satisfied it would command. One other circumstance ought also to be stated, that the privilege was to be granted to said Heard of building over the south end of the passage way between his estate and P. C. Brooks's whereby considerable additional room

would

160. would be gained from the second story upwards, but for which no additional sum was charged. Your committee therefore finally report, that they have been unable to conclude any arrangement with said Heard, for the sale of the strip of land in front of his estate, and they respectfully request to be discharged from the further consideration of the subject. By order of Com.ee J. Bellows, Chairman.

In Common Council, read and referred to the same committee with instructions to contract for the sale of said land to said Heard, at a rate not less than eight dollars per foot. (a) Came up for concurrence. Read and concurred with an amendment, at (a) insert "And in case said Heard shall refuse to pay that price, the committee shall have full authority to refer the amount to be paid by him, for the land in question to three or five persons mutually to be chosen." Sent down for concurrence.

Came up concurred.

Wolcott / Pelham's st.

Notice was received from Jabez Wolcott, that he intends building on Pelham's street. Resolved, That the whole board will meet in said street, on Thursday next, half past ten o'clock, A. M. for the purpose of considering the necessity or expediency of widening said street, and that notice be given said Wolcott accordingly.

Saxon / Sun & North Market st.

Notice was received from Nathaniel Saxon, that he intends building on Sun and North Market streets. Resolved, That the whole board will meet on the land on Thursday next, eleven o'clock, A. M. for the purpose of renewing the line of said streets in that place, & that Mr. Saxon be notified

Notice received from Levi Meriam, that he intends building on Hanover street opposite the Fan cake School house. Resolved, That the whole board, with meet in said street on Thursday next, at half past eleven o'clock A. M. for the purpose of considering the necessity or expediency of widening said street at that place, and that notice be given said Meriam accordingly. 1850. Meriam Hanover St.

Adjourned to Thursday next, half past two o'Clock, P. M.

Thursday April 27th 1826.

Met according to adjournment.

Present The whole board except Alderman Burney.

Order of the Common Council granting a further sum of eight hundred dollars, for the use of the Overseers of the Poor, to make good any deficiency of moneys which has or may be expended by them in the year ending the thirtieth day of April instant, and that the same be paid out of any moneys in the Treasury not otherwise appropriated. Came up for concurrence. Read and Concurred. Overseers of the Poor.

Ordered, That the Treasurer be authorized to borrow a sum of money not exceeding twenty thousand dollars, at such times and at such rates of interest as the Committee of finance may approve, reimbursable out of the tax to be laid during the present year. Treasurer to borrow money.

Ordered, That an order passed on the twenty seventh day of March last, authorizing the Treasurer

to

1771. to borrow a sum not exceeding twenty thousand dollars, be and the same is hereby repealed. Came up for concurrence

Read and concurred.

Assessors & Collectors

Ordered, that Francis Green, Nathan Webb, John Stevens, Samuel Norwood and Henry Bass, be and they hereby are constituted and appointed Assessors of the public taxes, within and for the City of Boston, the year ensuing.

It is further ordered, that the persons hereafter named be and they hereby are appointed assistant assessors, within and for the City of Boston, for the year ensuing viz:

Enoch M. Snelling,
Samuel Beal, } Inhabitants of Ward No. 1.

William Gubb,
Benjamin Dodd, } Inhabitants of Ward No. 2.

Larra Crane,
Warren Bowker } Inhabitants of Ward No. 3.

Andrew Cunningham, Junior,
Ezra Hawkes, ... } Inh.s of Ward No. 4.

Ebenezer P. Hartshorn,
Mark Weare } Inhabitants of Ward No. 5.

Billings Briggs
Samuel Snelling, Junr. } Inhabitants of Ward No. 6.

Isaac Danforth
Daniel Denny } Inhabitants of Ward No. 7.

Thomas C. Amory
Henry Gaspett } Inhabitants of Ward No. 8.

Henry Sigourney
James N. Staples } Inhabitants of Ward No. 9.

John W. Bradlee & Charles F. Richter, Inh.s of Ward No. 10.

Windsor Esq. & Daniel Baxter Esq. 2d Ward Ps. 11 and 1772.
Warren White & Josiah Dunham 2d Ward Ps. 12.

It is further ordered, that the board of Alspors hereby appointed and constituted proceed to alsp the taxes of the Current year according to law. Came up for concurrence.

Read and concurred.

Order of the Common Council committing the Remonstrance of Andrew Brimmer against stopping up the passage way in Court street, to the committee who are authorized to sell land to John Heard, Junior, Esquire. Came up for concurrence. Read and concurred. Brimmer.

The committee to whom was referred the communication of the Alspors, praying, that an allowance be made to them for the services of John Huggeford employed by them as a clerk reported, that they are of opinion that said Huggeford's account for services as a clerk in the alspors office ought to be allowed. Read and accepted, in the Common Council Came up for concurrence. Read and concurred. Alspors.

Agreeably to assignment the board proceeded and viewed Belknap Street, Jabez Wolcott was present. Belknap St.

They then proceeded to Ann street & the upper end of North Market street; Nathaniel Saxon was present. Ann & N. Market St.

They then proceeded to Hanover street opposite Hancock School house. Hanover St.

Resolved, that the safety & convenience of the Inhabitants require, that Hanover street should be widened and the same is laid out and widened in manner following

1753. lowing. viz:- Beginning at the easterly corner of And.w Belcher's brick house, and running northeasterly on a line, in a direction to a point one foot westerly from the southerly corner of the house on the northerly side of Parkman Place, twenty three feet, three inches; to land of William Badger; then running southeasterly four feet two inches to the present line of Hanover street; then running southwesterly and westerly by the present line of Hanover street twenty three feet, nine inches, more or less, to the point of beginning, containing fifty six 12/12 square feet, formerly covered by a building, & about sixteen 7/8 feet, formerly used as a passage way. The above land belonging to the heirs of Abram Babcock deceased, Levi Meriam the Guardian of the said heirs and agent of said estate was duly notified and did attend.

Saxon and Hammond — Ordered, that the subject of taking Nathaniel Saxon and Samuel Hammond's land to widen Ann Street be postponed for further consideration.

Meriam — Ordered, that the committee of the northern district be authorized to settle with Levi Meriam, with full power to close with him for land taken to widen Hanover street.

Ann St. — Ordered, that the committee of the northern district, take into consideration and report what sum ought to be paid to Nathaniel Saxon & Samuel Hammond for land to widen Ann Street.

Adjourned to seven o'clock this evening.

Met according to adjournment.

The committee of the City Council, to whom was referred a communication from the auditor of accounts, with an estimate of the moneys necessary to be raised for the expenditures of the next financial year, reported an order relative to specific appropriations. Read and accepted in the Common Council. Came up for concurrence. Read & concurred. Appropriations.

Petition of James Davis, and others, praying that Union Street may be widened, near the Green Dragon. Read and committed to Aldermen Bellows, Marshall, Oliver, and Robbins, to consider and report. Davis Union Street.

Communication from Samuel H. Dewes, Superintendent of burial grounds, respecting repairs and improvements in those grounds. Read and thereupon Ordered, that the Superintendent consult the several committees of the districts in which said grounds are situated, relative to repairs & improvements, which may be required from time to time. Burial grounds

Petition of Henry Gaspett, and others, praying that Merchants Row, may be widened and straightened, and the City authorities would so far interfere as to prevent any operations on the shore and land at the southwesterly corner thereof now belonging to Messrs. Nathan and Gustavus Tuckerman. — Read and Sent down. Gaspett Merchants Row.

175.

Winchester Richmond St.

Communication from Edmund Winchester, offering to the City the common sewer which he constructed in Richmond Street, upon certain conditions. Read & accepted; and thereupon ordered, that the estate Winchester on said street be exempted from assessments for the repairs of said common sewer, until the whole shall be taken up and relaid.

Roberts George & Southac

Petition of Richard S. Roberts, praying that a Surveyor may be appointed to take the level of George Street and Southac Street, near the north west corner of the last mentioned Street. Read and thereupon ordered, that S. P. Fuller, Surveyor be directed to take the level of those streets, at that place.

Woodman Hanover Street

Ordered, that David Woodman, be allowed one dollar and twenty five cents per square foot for land taken from him to widen Hanover Street.

Eliot Washington St.

Petition of William H. Eliot praying leave to open the common sewer in Washington Street leading into Dock Square. Read and thereupon ordered, that all persons whose estates bound on Washington, between Court Street and Dock Square, be notified to appear before this Board on Monday next, seven o'clock, P. M. and shew cause if any they have, why said common sewer should not be taken up and relaid, and the expense thereof apposed upon those who shall be benefitted thereby, by publishing notice in one or more newspapers printed in Boston.

Williams Washington Street.

Ordered, that the committee of the Southern district be authorized to settle with Thomas Williams for so much of his land as may be required to widen Washington Street, at the rate of Seventy Cents per square foot.

Ordered, That the Mayor be requested to write to the Selectmen of Roxbury, and invite them to meet the board of Aldermen, on Wednesday the seventeenth day of May, next, at nine o'clock A. M. on the line of Washington street, where it joins Roxbury, for the purpose of running the lines of Roxbury and Boston. Roxbury & Boston lines.

The committee of the City Council, to whom was referred the communication of the Mayor, relative to the proposal of the committee of the trustees of the Washington Monument association touching the location of the statue of Washington, made a report. Read & sent down. Washington Statue

Adjourned to Monday next seven o'clock P. M.

Monday May 1st 1826.

Met according to adjournment.

Present. The whole board.

The committee of the City Council directed to ascertain on what terms, and at what expence the Gun House on the Common may be removed, and also who were authorized to select a suitable place and extent of land for a new location of that Gun house, respectfully report, That having attended to that subject, they find, that the present location of the Gun house on the Common is considered as a nuisance by the neighbourhood, and that on many accounts it is desirable that it should be removed. The expense of removal and repairs will not exceed three hundred dollars, a part of which it is expected the Commonwealth will be willing to reimburse. A piece of land near the intersection of Gun house on Common

Boylston

1775. Boylston and Charles streets opposite the Hay scales, but removed at a distance from the line of the latter street is thought to be a suitable place and will be satisfactory to the Company of Artillery, established in that Gun house. Your committee therefore recommend for the consideration and adoption of the City Council, a resolution predicated on the above facts and opinions, which are respectfully submitted. By order of the Committee. Josiah Quincy, Chairman.

Resolved, That the Mayor and Aldermen be and they hereby are authorized to remove the Gun house now on the Common into some situation on the land lately obtained from the Proprietors of the Rope walks in the neighbourhood of the intersection of Boylston and Charles streets such as they may deem most expedient, and that for the said removal & for the repairs of said Gun house, a sum not exceeding three hundred dollars, be and the same is hereby appropriated, to be charged to the appropriation for the Common. J. Wells.

Read and accepted in the Common Council, and the resolve passed. Came up for concurrence. Read and concurred, & referred to the Committee on the Common and Wells to see it executed.

Convention enforced

Mr. Waters came up with a message from the Common Council, proposing a Convention of the two branches of the City Council, this evening at eight o'clock, for the purpose of determining the number of Representatives, that it will be expedient for the City to send to the next General Court.

Agreed to

Alderman Oliver was charged with a message to inform the Common Council, that the board of Aldermen concur in their proposition to form a Convention in

in the Common Council room, for the purpose of determining the number of Representatives as above expressed.

In Convention.

Agreeably to assignment a convention of the City Council was formed for the purpose of determining the number of Representatives it may be expedient for the City to send to the next General Court. The question being taken it was determined that the number should be twenty. Representatives number agreed.

The business of the Convention being accomplished the two boards separated.

Ordered, That warrants be issued for meetings of the Citizens of the several Wards, on Thursday, the eleventh day of May, instant, at twelve o'clock M. for the choice of Representatives; the polls to be kept open until three o'clock, P. M. Warrants for Ward meetings

Upon application of Benjamin Ysalon Ysalon Front street.
That some alteration be made in the line of Front street
thereupon resolved; That the vote of this board passed on
the 20th ultimo laying out and widening Front street be so
far altered, as that there be taken from said Ysalons land,
instead of five feet, eleven inches, on the northern side, it be
three feet only; and instead of five feet on the southern
side, it be two feet, seven inches only, which reduces the
land taken to ninety four 12 square feet.

Upon application of George Dowell, Dowell
That some alteration be made in the line of Washington street Washington st.
thereupon resolved, That the vote of this board, passed on the
thirteenth day of March, last, laying out and widening said
street

179. Voted to so far altered, that instead of the lines of said street in front of said Donnells' land, beginning at a point on feet two inches westerly of the northeasterly corner of the Marlboro' Hotel, that it begin at said northeasterly corner of said Hotel, and run northerly, forty four feet to a point forty four feet, eight inches distant from the southerly corner of Franklin and Washington streets. And reducing the quantity of land taken from said Donnells estate from one hundred & ninety three and three quarters square feet, to one hundred & seventy three 72 square feet. —

Firemen Ward No. 4. The following Firemen for Ward No. 4. were nominated and appointed viz: Abel Bailey, Joseph Seaver, Paschal P. Hall, Joseph Brigham, Charles Bowen, James Tufts, Nathaniel Hall, Samuel F. Barry, George Warren, Frederick Clark, Frederick H. Whitney, Southworth Shaw, and Thomas S. Withington. —

Highways. Ordered, that the Mayor be a committee to consider and report, the expediency of making any alterations in the mode of keeping the records of this board, when acting as Surveyors of Highways.

Thacher Street. Ordered, that the subject of establishing the lines of Thacher street, be referred to Aldermen Marshall and Oliver, to consider and report.

Eliot Washington Street. On the petition of William H. Eliot, for liberty to take up and relay the common sewer in Washington street, between Court street and Dock square. And now it appearing, that notice has been given agreeably to an order

of this board, passed at their last meeting. And the petitioners
hearing of the parties, it is thereupon ordered, that said Com-
mon sewer be taken up and relaid according to the prayer
of said petition, and the persons stopped whose there, who
shall be benefitted thereby, and referred to the Mayor to see
it executed.

Application of A. P. Heinrick, for a license for a Concert at Boylston Hall, for one night. Read and the prayer thereof granted. — Heinrick Concert.

Petition of Ebenezer Morgan, to have a common sewer laid, in the City in High Street, as far as may be necessary to drain his Cellars, which are at present too deep for the existing common sewers, he paying the expenses. Read and the prayer thereof granted, and referred to the Mayor to see it executed. — Morgan High Street.

The committee upon the subject of Nathaniel Saxon and Samuel Hammonds land, to be taken to widen Ann Street, reported that they recommend, that said Street be widened by taking from Nathaniel Saxon, on the west side thereof, four rods; and four rods eight inches on the east side thereof; and from the land of Samuel Hammond four feet eight inches on the westerly side thereof; and all the land lying northwesterly of a line drawn from said points to the northeast corner of said Hammonds land, according to A. P. Fuller's Plan dated May 1. 1826, provided it can be done without any expense to the City. Read and accepted. — Saxon & Hammond Ann Street.

Ordered, that Monday next 4 o'Clock P. M. be appointed for the choice of Directors of the Town Industry. — Dir: of Industry.

Greenough & Thorndike Merchants Row

Application of David Greenough & others for permission to build an arched wall under the side walk, in Merchants Row for coal, under such restrictions as may be thought proper. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Adjourned to Monday next, 4 o'Clock P. M.

Monday May 8th 1826.

Met according to adjournment.

Present The whole board except Aldermen Bellows and Robbins.

Treasurer, Com^e to audit accounts

Order of the Common Council appointing Messrs Wiley, Baldwin and Aspinwall, with such as the board of Aldermen might join, a committee to examine and audit the accounts of the City and County Treasurer, & report thereon to the City Council, as soon as may be. Came up for concurrence. Read and concurred, and Aldermen Bellows and Loring are joined.

House of Industry Directors

Agreeably to assignment the board proceeded to the choice by ballot of nine Directors of the House of Industry, and the votes being taken, it appeared that Messrs Daniel Hastings, Thomas Kendall, Richards Child, Benjamin F. French, Billings Briggs, Frederick A. Gay, Joseph Lewis and William R. Washburn were chosen, in concurrence with the Common Council.

Mangean

Application of John Mangean, for allowance for a Concert at Concert Hall. Read & the prayer thereof granted.

Notice from the Selectmen of Roxbury, Roxbury & Boston lines

that they will meet the Mayor and Aldermen on the lines between Roxbury and Boston, on the seventeenth day of May, instant, to renumerate and run the lines between that town & this City — Ordered, that Aldermen Marshall and Loring be authorized to provide a dinner at the Exchange Coffee House.

Petition of Samuel Low & others, praying Low — Battery Street.

that some measures may be taken to prohibit the Boston Marine Rail way Company's stopping or cutting off the common sewer running from Battery street. Read and committed to the Mayor, Aldermen Marshall and Oliver to consider and report.

Ordered, that Aldermen Bellows and Penniman Loring be a committee to make a contract with the Washington St. several workmen to take down the front of Elisha Penniman's store on Washington Street, and rebuild the same on the twentieth day of June next, agreeable to the vote of this board.

Communication from the Masters of the Rees. Yancoke School, complaining of a ~~building~~ bowling alley, near their School House, kept by William T. Rees, No 120, Ann Street. Read and thereupon ordered, that notice be given to said Rees to appear before this board on Wednesday next, half past eight o'clock, A. M. then and there to shew cause, if any he have, why his license as a Victualler should not be revoked, for a violation of the license law.

Application of John C. Greene, for a Greene license for a Concert at Concert Hall. Read, & the same was granted.

Communications from Frederick Tudor.

Tudor Court Street

Frederick Tudor stating, that he is about building on Court Street. Read and thereupon resolved, That the whole board do meet on the premises on the Wednesday next, nine o'clock A. M. for the purpose of considering the expediency or necessity of widening said Street by taking a part of said Tudor's land, and that notice be given said Tudor thereof.

House offal &c

By virtue of an ordinance passed on the tenth day of April, last, entitled "An ordinance regulating the removal of House offal, in the City of Boston", it is ordered, that the terms and conditions on which a license may be granted for the removal of house dirt, refuse-offal, filth, animal or vegetable substances are as follows.

1. All licenses for the above purpose, shall for the insuing year, be granted on or before the twentieth day of May, instant, and not afterwards; and in every year thereafter, in the month of April, and not afterwards.

2. The person applying for such license shall produce a writing signed by all such house-holders as choose to employ him, for carrying away their house dirt and refuse; and agreeing to dispense with the services of the City Carts, for the year, in that respect. 3. The Cart or vehicle employed shall be licensed, and have painted on it "Licensed for House dirt No. ". 4. The person licensed shall be authorized to take house dirt refuse-offal, filth or animal and vegetable substances during the term of the license, in such licensed Cart or vehicle, and in no others and from the house of any house-holder who shall sign such paper or writing, and from no other. And he shall also

be

be bound to carry away all the dirt, made in such houses or yards; and in case of failure in any of the above duties, or carrying away any house dirt from any house, without a badge or writing signed previous to the times above specified by such house holder, or in case of his keeping his said cart or vehicle in a slovenly or unsatisfactory manner; or offending against any laws of the City, respecting the subject matter, the person so licensed shall be liable to the penalties specified in the above mentioned ordinance, and also to be deprived of his license, at the discretion of the Mayor and Aldermen. 5. The person so licensed shall on receiving such license, pay one dollar to the City Clerk, for the use of the City. 6. It shall be the duty of the City Teams to take the above house dirt and offal from all houses, the owners or occupants of which do not otherwise provide themselves as above specified and all houses, concerning which notice to the contrary shall not have been given, as above specified, will be deemed as depending upon the City Teams in this respect, and arrangements will be made accordingly.

Front street. Ordered, that Thomas Welsh, Junior Esquire, be requested to give a written opinion, what right the City has in and to a certain dock on Front street, at the bottom of Rainsford lane, formerly so called.

Voters. Ordered, that the City Clerk publish a notice in the newspapers, calling upon all persons who are entitled to vote and whose names are omitted on the lists of voters, to make application at the Aldermen's room in order, that they may be inserted in the Wards in which they dwell.

185. Ordered, That Aldermen Welsh and

Holland. Robbins, be a committee to consider the petition of the heirs of John Holland, and report upon the expediency of making any alteration in the lines of the street, as established by an order of this Board, passed on the 24th ultimo, leading on to the Long wharf.

Washington street. Ordered, that the committee of the Southern district consider and report upon the expediency of widening Washington street, by the Bull pasture to the Roxbury line.

Court street part discontinued. Resolved, that the safety and convenience of the Inhabitants, require, that the following described piece of land, being heretofore used as part of Court street, be discontinued as part of said street, and the same is discontinued accordingly. viz: beginning at the northeasterly corner of land belonging to John Quincy Adams, Esquire, President of the United States, and running by the front of John Heard, Junior Esquire's land and bounded northerly thereby, forty six feet, thence is a five feet passage way between land of said Heard, and Peter C Brooks, Esquire; thence turning and running southerly bounding easterly, on said passage way, three feet, eight inches, until it meets a line drawn from the southeasterly corner of Joseph Coolidge, Esquire's estate at the corner of Washington and State streets, to the southeasterly corner of the estate belonging to President Adams, thence to the point of beginning, according to a plan of the same taken by S. D. Fuller, dated November, 1825.

Ordered, that the Mayor be authorized to execute a deed of the above described piece of land to John Heard, Junior, Esq. by a quit claim of all the City's right to build over said passage way, between the estate conveyed, and land of P. C. Brooks, Esq.

Adjourned to Wednesday next, half past eight o Clock, P. M.

Wednesday May 10th 1826.

Met according to adjournment.

Petition of Isaac Harris, praying that the iron grating placed in Lynn Street, may be replaced; or the privilege of taking off the waste water from Breckman's Lane, which now runs over a part of his land upon. Read and committed to the Mayor, to consider & report. Harris Lynn St.

Petition of Joseph Woodward, and others, complaining that the Cows going at large in South Boston, is attended with great inconvenience and annoyance, and praying that they may be restrained, as in the other parts of the City. Read and committed to the Mayor, to consider and report. Woodward, Cows.

William A. Rees appeared before the board agreeably to a summons issued at the last meeting of the board. — Rees

The board proceeded to view Covett Street and it appearing that Frederick Tudor has been duly summoned to appear at this time and place if he saw fit and he did not appear and after matured deliberation — Covett Street widened

Resolved, That the safety and convenience of the Inhabitants of the City require, that Covett Street be widened and the same is laid out and widened in manner following viz: Beginning at the northeasterly corner of land belonging to said Frederick Tudor, on the southerly side of Covett Street, and running southerly on land

late

late of Peter C. Brooks, Esq. now part of Court street, thirteen feet, two inches; then running westerly fifty three feet, more or less to land belonging to the County of Suffolk; then running northerly two feet, to the present line of Court street, then running easterly fifty one feet, more or less to the point of beginning; containing about sixhundred, one and three quarters square feet of land, according to a plan of land on Court Street taken by S. P. Fuller, Surveyor, dated November 1825.

Firewards

Ordered, That the Mayor address a letter to the Secretary of the late board of firewards, to be communicated to the members of that board, expressive of the sense entertained by the board of Aldermen, of their faithful, active, and disinterested services; and par ticularly of their patriotic support of the City authorities in all the measures adopted, for the purpose of introducing a new organization, and a greater degree of preparation in the fire department; and that the request, that all the records and property of the City, in the possession or under the control of that board, or its Secretary be delivered to the care of Samuel D. Harris, Esq. Chief Engineer.

Adjourned to Monday next 4 o'Clock P. M.

Special meeting.

Saturday May 13th 1826.

Representatives

The board proceeded to examine the returns from the several wards, given in on the eleventh instant for twenty Representatives to represent the City

in

in the next General Court, that being the number agreed upon by the City Council, and they found that the following Gentlemen had a majority of votes and were chosen, viz.: George W. Adams, William Barry, Adam Bent, John B. Davis, Andrew Dunlap, Abner Phelps, John F. Simpson, Charles Wells, Thomas Welsh, Junior and John T. Winthrop. The return was made out and signed according to law.

Ordered, that the City Clerk is-sue notices to the several Gentlemen elected, to be ~~distributed~~ delivered by a Constable.

The whole number not being elected, Warrants for Thereupon Ordered, that the City Clerk issue warrants for Ward meetings. meetings to be held in the several wards, on Thursday next, twelve o'clock M. The Poll to be kept open until 3 o'clock, P. M., to elect ten more Representatives to complete the number agreed upon by the City Council.

Adjourned to Monday next four o'clock, P. M.

Monday May 15th. 1826.

Met according to adjournment.

Present The whole board, except Aldermen Welsh and Robbins.

The City Clerk communicated a letter Lewis from Joseph Lewis, declining to accept the office of a director declin. of the House of Industry. Read and sent down.

The board proceeded by ballot to the Choice of a Director of the House of Industry, in place of Joseph Lewis, who declined serving, and the votes being taken it appeared.

189. appeared, that Henry D. Gray, was chosen

Sent down for concurrence.

Came up concurred.

Newhall & Quakers

Petition of Estes Newhall, and others Overseers of the Salem monthly meeting so called, being a society embracing all persons of the religious denomination of Christians called Quakers, who reside within the territorial limits of Boston, Salem and Lynn, and the towns in the immediate vicinity thereof, stating, that they, in their said capacity are seized in fee simple of all that tract of land on Congress street in Boston on which the Quaker meeting house is situated, part of which was formerly used as a burying ground, wherefore they pray that the remains of the dead should be decently removed, and re interred in the burying ground of said society in Lynn. Read & thereupon ordered, that the prayer of said petition be granted, under the direction of the Superintendent of burial grounds.

Bradlee & Washington Avenue

Petition of David W. Bradlee, and others, praying, that the City would accept Washington Avenue as a public street, and that the same may be widened & improved. Read and committed to Aldermen Bellows & Robbins to consider and report.

Adams & Doane Street

Petition of Benjamin Adams, praying, that Doane Street may be widened. Read and committed to Aldermen Bellows, Welsh and Robbins, to consider and report.

The Mayor reports, that he has caused a plan of South Boston to be procured and duly authenticated by Mather Withington, Surveyor. Plan of South Boston.

Petition of Francis Lincoln, praying that the common sewer leading by Hancock Row from Marshall Street to Creek square may be taken up and repaired and the expense thereof abated when those persons who shall be benefitted thereby. Read and thereupon ordered, that public notice be given to all persons interested to appear before this board, on Friday next, nine o'clock A. M. and object to the same, if they see fit. Lincoln

William Rees, a licensed victualler having been duly summoned to appear before this board and shew cause, if any he had, why his license should not be revoked for a breach of the license law. The said Rees accordingly appeared on the tenth instant, and confessed that he sold within his premises No. 122 Ann Street, bowling alleys and the subject being continued until this time for adjournment. And now the board being of opinion that the allegations against said Rees are true. It is thereupon ordered, that said Rees' license be and hereby is revoked. Rees license revoked.

Ordered, that Aldermen Welsh, Oliver, Loring, and Jackson, be a committee to consider and report upon the expediency of making any alteration in the rules and regulations in granting licenses to Innholders, Victuallers, Retailers and Confectioners. Licenses.

191.

Paving. Ordered, That the committee on Paving be instructed so to contract for paving as to establish a uniform price throughout the City.

Receipts and expenditures. Auditor of accounts communication giving a statement of all the receipts and expenditures of the last year giving in detail the amount of appropriation for each specific object. Read & Sent down.

House of Industry. Report of the Directors of the House of Industry giving their annual statement of said institution. Read and committed to the Mayor and Aldermen Oliver with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Brookes Torrey and Dorr.

South Boston bridge. The committee to whom was referred the Communication of Jonathan Kimenwell and others having met the memorialists and heard their propositions contained in the document annexed to said report marked A and their various allegations and having fully considered the subject, ask leave to report the following resolves, and recommend the same to be adopted by the City Council, to wit, Resolved, that it is not expedient for the City government to take any order in relation to the rights or liberty, which may have been granted unto it, in the fifth section of the act, entitled "An act establishing a free bridge in the City of Boston."

Resolved, that it is not expedient for

the

the City government to accede to any of the proposals made by the memorialists in their said communication and in the document annexed. The above resolves were passed unanimously by the committee, eleven being present.

By order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Adjourned to Wednesday next, half past eight o'Clock A. M.

Wednesday May 17th 1826

Met according to adjournm.

Present The whole board.

Agreeably to notice the board in company with the Selectmen of Roxbury, perambulated and viewed the lines and monuments, between that town and this City. S. P. Fuller, Surveyor, also attended. Roxbury & Dorlon lines.

Adjourned to Friday next, nine o'clock. A. M.

Special meeting.

Thursday May 18th 1826.

Present. The Mayor, Aldermen Bellows, Marshall, Welsh and Loring.

The board proceeded to examine the returns from the several wards, given in this day, for ten Representatives to represent the City, in the next General Court, to make up the number Twenty, agreed upon by the City Council, and then found the following Gentlemen had a majority of votes, and were chosen viz: Samuel Austin, Junr. Representatives

Daniel

193. Daniel Baxter, Junior; David S. Child, and Franklin Hobbs.

The return was made out and signed, according to law.

Ordered, That the City Clerk issue notices to the several Gentlemen elected, to be delivered by a Constable.

The whole number not being elected, thereupon ordered, that the City Clerk issue warrants for meetings to be held in the several wards, on Saturday next, twelve o'clock M. The poll to be kept open until three o'clock P. M. to elect six more representatives, to make up the number lately agreed upon by the City Council.

Lane
North Allen St.

Petition of George Lane, and others, praying, that North Allen street, may be levelled and gutters constructed in such a way, as to carry off the water into the river. Read and committed to Aldermen Welsh and Loring, to consider and report.

Receipts and expenditures

Order of the Common Council directing, that the communication of the auditor of accounts, with the accompanying documents be committed to the committee of finance; with such as the board of Aldermen might join, to prepare a particular statement of the receipts & expenditures of the City of Boston, and County of Suffolk, for the past municipal year; together with a particular statement of all City property, and also to report what tax ought to be laid during the present financial year. Came up in concurrence. Read and concurred, and the Mayor, Aldermen Bellows, Welsh, Loring and Robbins are joined.

Order of the Common Council committing the petition of Ames Lawrence and others owners of stores on South Market Street, praying an allowance of interest on their purchase money due the City, the amount of the taxes levied the last year, and an exemption of the property from taxation until such time as the City shall have completed the improvements originally contemplated. to the Committee on the extension of Faneuil Hall market, to consider and report. Came up for concurrence. Read and concurred. Lawrence & others South Market Street.

Order of the Common Council recommitting the report of the committee on the petition of Horatio G. Puttrick and others residents on the Dam erected by the Boston and Roxbury Mill Corporation for further consideration. Came up for concurrence. Read and concurred. Puttrick & others Mill Dam.

The committee appointed by the City Council to examine and audit the accounts of the City Council Treasurer, have attended to that duty and find that they are correctly stated and properly vouched, and that there has been received on account of the City, six hundred Six Thousand, eight hundred and twenty three dollars and ninety three cents, and that has been paid on the same account five hundred thirty five Thousand, nine hundred and forty nine dollars and one cent, leaving a balance in favour of the City of seventy Thousand eight hundred and seventy four dollars and ninety two cents. That there has been received on account of the County, twenty Thousand, five hundred and fifty four Treasurer's account.

dollars

dollars and eighty cents; and that there has been paid on the same account, seventy six thousand, nine hundred and thirteen dollars and forty cents; leaving a balance against the County of fifty six thousand three hundred and fifty eight dollars and sixty cents; leaving a final balance in the Treasury on the thirtieth day of April last, of fourteen thousand, five hundred and sixteen dollars and thirty two cents, deposited to the credit of William Mackay, City Treasurer, in the City Bank. Read and accepted. Sent down for concurrence. Came up concurred.

Battery street. Ordered, that Alderman Welsh, be requested to give his opinion as to the right of the City in and to a passage extending from Battery street to the sea, for the purpose of carrying a drain through the same, or otherwise.—

Adjourned to nine o'clock, tomorrow morning.

Friday May 19. 1826.

Met according to adjournment.

Present. The whole board except Aldermen Carney and Robbins.

Sincebox square. On the petition of Francis Sincebox, for liberty to open a drain from Marshall street through Cook square. It appearing that notice has been given agreeable to an order of this board, passed on the fifteenth instant, Jeremiah A. Boies, Esq. appeared to object and after a full hearing and mature deliberation being thereon had, it is ordered, that said drain or common sewer be taken up and

Relaid

relaid, and the expense thereof apposed upon those who shall 196.
be benefitted thereby, and that the same be referred to the
Mayor to see it executed.

Petition of Woodbridge Strong, praying Strong
indemnity from the City in consequence of a judgment
of the Supreme Judicial Court, being decided against him,
which he caused to be prosecuted against William Brooks,
formerly one of the Constables of Boston, and his bondsmen, for
taking insufficient bail by said Brooks, of one Charles Bonner
whereby the Petitioner lost the amount of his debt of one
hundred dollars and seventy eight cents. Read & committed
to Aldermen Welsh and Robbins with such as the Com.
mon Council may join, to consider and report. Sent down
for concurrence. Came up concurred, and the Common Council
joined on its part, Messrs Peabody, Bassett and Wiley.

Petition of Samuel Eames, by Henry Eames
K. May, praying liberty to construct a drain from the house Hanover St.
and land No. 81 Hanover Street, to the Common Sewer lead.
ing into the Mill Creek, and to take up and repair said
Common Sewer and assess the expense thereof upon those
who shall be benefitted thereby. Ordered, that public notice
be given to all persons interested to appear before this Board,
on Monday next, four o'Clock P.M. and object to the same
if they see fit.

The Surveyors of highways represent, Washington
that it is expedient to widen the Southerly part of Washington Street.
Street, by running a straight line from the South side of
Roxbury Street, to the brick store at the corner of Northampton

Street

197. Street which will take from the Bull pasture about six & an half feet in width at the Roxbury line, twelve and an half feet in the Centre, thence running to a point at said brick store conformably to a plan herewith presented; the City own the whole of the land proposed to be taken to widen said Street except four lots from which about twenty four hundred square feet will be wanted; and for which the proprietors can be very easily compensated with adjoining City lands, at a fair exchange; it is therefore necessary that the consents of the City Council should be obtained in order to make the necessary exchanges of land. Read and committed to the Committee on such lands to ascertain and report, whom what terms the owners of the lands in the "Bull" pasture will exchange a sufficient quantity of their lands for City lands proposed to be taken by the Surveyors of Highways to widen and straighten Washington Street, between Northampton Street and Roxbury line. Set down for concurrence. Came up concurred.

Tudor Court Street

Ordered, that Aldermen Welsh & Loring be a committee to take into consideration and report upon the application of Frederick Tudor for compensation for land taken to widen Court Street.

Wells Washington St.

Ordered, that Aldermen Carney and Parkman be a Committee to consider and report upon the subject of Jonathan Wells's encroachment on Washington Street.

Adjourned to Monday next four o'Clock P. M.

Met according to adjournment.

Present The whole board, except Aldermen Welsh and Robbins.

The board proceeded to examine the Representatives. returns from the several wards of the votes given in on the 22d instant, for six representatives to represent the City in the next General Court, to make up the number hereby agreed upon by the City Council, and then found that Stephen Clarke, had a majority of votes and was chosen, and that no other person had a majority. The return was made out and signed according to law. Ordered, That the City Clerk give a notice to the gentleman elected to be delivered by a Constable. The whole number not being elected, and it being too late for another meeting, no further proceedings were had.

Petition of Alexander Young, and others praying, that River Street may be widened four feet or thereabouts. Read and committed to Aldermen Bellows and Robbins, to consider and report. Young River Street.

Communication from Samuel D. Harris, Esq. Chief Engineer, reporting several Chimneys which have been on fire; also a fire which caught in one of the Stores on Faneuil Hall, by the accidental discharge of a musket. Also requesting that the several Reservoirs may be filled with water. Read & committed to the Committee on the fire department to consider & report. Chief Engineers Fires

Petition of Thomas Kendall, in behalf of the third Baptist society, praying, that the elevation of Charles Street Kendall Charles Street.

Street

109. Street may be determined. Read and committed to Aldermen Welsh and Loring to consider and report.

Rowes Fosters Wharf. Petition of the Proprietors of Rowes wharf and Proprietors of Fosters wharf, praying that the Granite House No 16 may be removed from what they allege to be a town way, leading from Fort hill to the water. Read and committed to the Mayor and Aldermen Welsh, who are also instructed to inquire into the encroachment made upon the Citys rights by the erection of Fosters wharf in the direction of said passage way.

Holland Castle Street. Petition of Thomas Holland, praying that the elevation of Castle street may be determined. Read and committed to Aldermen Carney and Jackson to consider and report.

Tombs in the burial grounds. Communication of Samuel St. Hewes, Superintendent of burial grounds recommending the erection of tombs in the burial ground on the necks, and also a wall around said ground, and the general improvement of the same as coming to them exhibited. Read and committed to Aldermen Carney and Jackson, who are instructed to report the cost of constructing the tombs with stone.

Bradlee Petition of Joseph P. Bradlee, to hire the cellar of Ward room No. 3. Read and committed to Aldermen Marshall and Oliver, to consider and report.

Firewards Communication from the late board of Firewards, acknowledging the receipt of the Mayors communi-

cation

cation, and stating that they are ready to deliver over to the Chief Engineer the records and property belonging to the City in their possession.

Resolved, That the Directors of the House of Industry be the Overseers of the establishment for the reformation of Juvenile Offenders until the City Council shall otherwise direct. Ordered, That the sum of thirty five hundred dollars be and is hereby appropriated for the use of this establishment. Came up for concurrence. Read & concurred.

Juvenile delinquents.

On the petition of Samuel Eames for liberty to take up and relay the common sewer in Hanover St. Hanover street between Cross street, and the Mill Creek, and that the expense thereof be apposed upon those who shall be benefitted thereby. And now it appearing that notice has been given agreeable to the order passed at the last meeting of the board, and no one appearing to object, it is thereupon ordered, that said common sewer be taken up and relaid agreeable to the prayer of said petition, and that the same be referred to the Mayor to see it executed.

Eames

Agreeably to assignment the board proceeded to the election of an Auditor of accounts, by ballot, & the votes being taken, it appeared that William Hayden jr. was chosen, in concurrence with the Common Council.

Auditor of accounts.

Ordered, That the Treasurer be authorized to borrow for the use of the City, a sum of money not exceeding thirty thousand dollars, reimbursable at such times

Treasurer to borrow money.

within

201. within the present financial year, and on such other terms and conditions as the Committee of finance may approve? Leave refd. for concurrence. Read and concurred.

Paranté Concert

L. Paranté's application for a license for a Concert, at Leonard Hall, on tomorrow evening. Granted.

Rees

William A. Rees' application to have his license as a victualler restored. Read and committed to Aldermen Marshall and Clever, to consider and report.

Ward room No. 3.

Ordered, that the committee of the northern district be authorized to have the Cellar under the Ward room of ward No. 3.

Independence

The committee charged to consider what preparations for celebrating the approaching anniversary of the Independence of the U. States, it would be expedient for the City Council to make, having attended to the duty assigned them, ask leave to report, that in their opinion the day should be commenced with salutes of cannon at various points in the City, and with the ringing of all the Bells which should be repeated at noon, and at sunset, and the brilliancy of the scene will be much increased if the military companies of Light Infantry belonging to this Brigade should think it to appear in full uniform during the day. Your committee are also of opinion that it would contribute to the Solemnity of the occasion to engage the musical societies of the City, to furnish a large Choir of singers, an extensive band of musicians, to assist at the

Germanic

ceremonies in the old South Church, and that an exhibition of good fire works on the Common, (if such can be procured) accompanied with instrumental music, would be gratifying to the Citizens generally. In conclusion, your committee cannot forbear to congratulate the City Council, and their Constituents on the selection of a gentleman to deliver the Oration, alike distinguished for his purity and literary accomplishments. With these views your committee recommend the adoption of the subjoined orders. For order of Com^e

J. Bellows.

1. Ordered, That a committee be appointed to make arrangements in concurrence with the State authorities for procuring Salutes of Cannon to be fired at sunrise, at noon, and at sunset of the fourth day of July, next, upon the Common and on Copps and Fort Hills.

2. Ordered, That the bells of the several Churches be rung, for one hour commencing at sunrise, and one hour before sunset of the said day.

3. Ordered, That the said committee make arrangements for procuring a choir of singers, and a band of musicians, to assist at the ceremonies in the old South Church, and that the organist of the said Church be requested to perform on that instrument.

4. Ordered, That the said Committee engage a large band of musicians to perform on the Common during the evening of the fourth of July, and that a staging be erected for them in a suitable place.

5. Ordered, That the expenses incurred for music, gunpowder and other things necessary for the occasion be paid out of the City Treasury, and be charged to the appropria-

tion

Independence.

lien for incidental expenses. Read and accepted, and referred to the same committee to see it executed. Sent down for concurrence. Came up concurred.—

Dorr
Purchase St

Petition of Joseph H. Dorr and others, praying, that Purchase street may be widened, by taking a strip of land and cutting off a few feet building belonging to John Tucker and Joseph Cotton, for that purpose. Read and thereupon resolved, That the whole board will meet on the premises on Thursday morning next, at six o'clock, and that said Tucker and Cotton be notified thereof.

Adjourned to Thursday next, Six o'clock A. M.

Thursday May 25th. 1826.

Met according to adjournment.

Present. The whole board except Alderman Robbins.

Purchase Street

The board proceeded to Purchase street, and viewed the same, and it appearing that Joseph Cotton and John Tucker were duly notified according to the order passed at the last meeting of the board, and they accordingly attended, and after hearing of the parties, it is thereupon resolved, That Purchase street be widened and the same is laid out in manner following viz: beginning at the southerly corner of John Tucker's land on Purchase street, and running northwesterly two feet one inch, then running northeasterly on a line drawn from the easterly corner of the wooden house, standing about six feet, six inches, southwesterly of said Tucker's land to the southerly

corner

corner of a block of brick houses standing about one hundred and twenty feet northeasterly from Pearl street measuring on said line forty feet to Pearl street; then southeasterly on said Pearl street one rod, six inches to the present line of said Pearl street, then on the line of said Pearl forty feet, to the point of beginning, taking from the land of said Tucker, fifty two 52 square feet; and from the land of said Cotton, eighteen and two thirds square feet. —

Adjourned to Monday next 4 Oclock P. M.

Monday May 29th. 1826.

Met according to adjournment.

Present — The whole board.

The Surveyors of Highways, respectfully represent, to the City Council, that the contracted state of "Merchants Row," and the increasing travel in that street, owing not only to the increasing population of the City, but also to the enlarged accommodations of business, consequent on the improvements in the vicinity of Faneuil Hall market, renders the widening of that street most important and necessary; The opportunity, which is at present offered by the taking down the store of W. & H. Tuckerman, presses upon the Surveyors of Highways, in an imperious manner, the duty of exercising the authority entrusted to them by the laws, and is urged upon them by petitions of many respectable citizens, who deem that the occasion, which now offers ought not to be neglected; — On considering Merchants Row.

this

205. This subject, with reference to the probable expense, the Merchants Row, Surveyors of Highways respectfully state, that seven estates will be affected by the proposed improvement, from all of which Three Thousand five hundred and twenty two square feet of land will be taken. The particular estimates made by the Surveyors of Highways concerning the damage done to each estate respectively, it would not perhaps be expedient distinctly to specify in a public development of this kind; but they are satisfied that with the private aid which can be attained, the whole expense of widening Merchants Row, twenty feet, that is making the street fifty instead of, as at present thirty feet, wide will cost probably thirty thousands, and cannot according to the best opinion they can form exceed thirty five thousand dollars. With these general views, the Surveyors of Highways submit to the consideration of the City Council the expediency of sanctioning by their approbation such an exercise of their authority as the Surveyors of Highways. From the nature of the course proposed, which is the only one that the excessive estimates of value made of their estates by some of the proprietors leave to the City authorities as well as from the uncertainty of the amount which may be required, it is obvious that the cost of such an operation cannot be brought within the established appropriation for the year; nor could it be expedient to make at present any appropriation for the desired matter; the powers to widen the streets being vested by law in the Surveyors of Highways, and they being anxious in all their proceedings to coincide with the declared will of the City Council, they are induced to make this communication to ascertain whether there exists or not a consentaneousness of

opinion

opinion between the Surveyors of Highways and the City Council as to the importance of this improvement and as to the expediency of the measures proposed, in which case the Surveyors of Highways will proceed to exercise the authority vested in them by law; with the confidence which such coincidence of opinion would be calculated to inspire and, with the certainty that no question would be permitted by the City Council to arise subsequently, touching the provision for the payment of the assessments, which a jury might make on the City by way of Compensation to the respective proprietors, for the damages done by the taking proposed. All which is respectfully submitted, by order of the Surveyors of Highways. Josiah Quincy, Chairman.

May 8th 1826. The preceding communication from the Surveyors of Highways being read and considered, thereupon Resolved, That it is expedient, that the Surveyors of Highways should proceed forthwith to exercise the powers vested in them by law, relative to widening of Streets on the west side of Merchants Row as nearly conformably to the plan drawn by Messrs. P. Fuller, Esq. and dated the twenty fourth day of September last, as circumstances will permit. A. Sent down for concurrence. Came up concurred with an amendment, at A insert, "Provided, that the same can be accomplished for a sum not exceeding twenty five thousand dollars, or, if the sum of [B] ten thousand dollars be obtained by subscription of individuals in addition to the land already offered." Came up for concurrence. Read & Concurred. Reconsidered & amended vide No 212.

Ordered, that the City Clerk cause a notice to be inserted in the newspapers, that in conformity to

the

20th. the above resolves the Surveyors of Highways with exercise the powers vested in them by law, in widening Merchants Row by taking a strip of land on the westerly side of the same, so as to make it four feet six inches wide, as near as practicable to that mentioned in said report, when the sum of two thousand dollars shall be obtained by subscription of individuals in addition to the funds already provided.

Washington st. Ordered, That Aldermen Carney and Jackson, be authorized to build up the front of Jamin Hastings buildings on Washington Street, after those parts which are in the street shall be removed, provided said Hastings and his tenants shall consent to the same.

Wright Petition of William Wright, praying,
Broadway that the street leading by his house situated on Broadway South Boston, may be opened and made. Read & committed to Aldermen Carney and Jackson, to consider and report.

Gibbs Petition of the heirs of Mary Gibbs, for
Pinckney St. remuneration for damage to their estate in consequence of digging down Pinckney Street, and that the same may be protected from further injury. In the Common Council was read and committed to Messrs Parkman, Torrey, Barnard, Thayer, and Jones with such as the Board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred with Aldermen Carney, Parsons and Welch are joined.

Sullivan Petition of William Sullivan & others a
Gymnasium Committee on behalf of persons appointed to establish a gymnasium,

for

praying, that a piece of land, near the Hay Scales, Charles street may be set off and appropriated to that use, agreeable to the order of the City government. Read and Committed to the Committee on the Wells and Common to Consider and report.

Ordered, that the City Clerk give notice forthwith in two or more newspapers, printed in this City, that applications will be received until monday the twelfth day of June next, for the several offices of Resident Physician and Island keeper at Hospital Island, for the ensuing year. Sent down for concurrence. Came up concurred.

Resident Physician & Island keeper

Ordered, that Nathaniel Bradlee, Romanus Emerson, Robin Hartshorn, Abel Mewins, and John Howe, be fence viewers, for the year ensuing.

Fence viewers

Also, that James Brown, Benjamin Clark, Nathaniel Howe, Benjamin Owen, and Charles Cook, be cullers of hoops and staves.

Cullers of hoops & staves.

Also, that Michael Homer, Francis James, and Samuel Shrague be inspectors of lime.

Insp. of Lime.

Also, that John Wells and Lewis A. Faurial, be Afay masters.

Afay masters

Also, that Samuel Emmons & Benjamin Rich, be Surveyors of Hemp.

Surv. of Hemp.

Also, that Bement Ford, and Noah James be Hogreeves, Haywards and field drivers. Sent down for concurrence.

Hogreeves &

Came up concurred. —

Benjamin Pollard, Esq. was nominated & appointed City Marshal, for the year ensuing.

City Marshal.

City Marshal

Ordered, that the City Marshal be supplied with a horse, for the next four months, at the expense of the City.

Rees

The committee to whom was referred the Petition of William A. Rees, to have his license as a victualler, restored, reported, that the license be continued for the residue of the year, for which it was originally granted. Read and accepted.

Adams

Doane st.

The committee appointed to consider the Petition of Benjamin Adams, concerning the widening of Doane street, Report, That in the opinion of your committee the City has some little interest in the proposed improvement, but whether this interest be more or less; one fact appears conclusive against any expenditure of money on the part of the City for this improvement, the present season, and that is, the whole appropriation for widening streets is already expended. Your committee are therefore of the opinion that it will be inexpedient to take any further order on the subject.

Per order of the committee. J. Bellows, Chairman.

Read and accepted.

Codman

Camera Obscura

Application of William F. Codman, for a license to exhibit his Camera Obscura, in and about the Common on the several Public days. Read and the prayer thereof granted, upon paying therefor two dollars each day.

Sibbaneau

Phantasmagoria

Application of Henry Sibbaneau, for a license to exhibit a Phantasmagoria, at the Hall corner of Brannens & Bromfields lane, for two days. Read & the prayer thereof granted.

Upon

action— praying therefor five dollars, for the two days or models.

Petition of Joseph Woodward, Woodward's Cows
that the same restrictions may be had relative to Cows going at large at South Boston, as in the other parts of the City. Read and committed to the Mayor & Aldermen Marshall with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Baldwin, Baker and Vose.

The committee to whom was referred a communication from the Surveyors of Highways relative to an exchange of lands for the purpose of widening the southerly part of Washington street Report, that a very desirable improvement may easily be made in the southerly part of Washington street, between Northampton street and Roxbury line, by widening, and at the same time straightening said street, which ought to be done before the paving of said street, which is now going on is completed. It is proposed to take from the Bull pasture about six and an half feet in width at the Roxbury line, about twelve and an half feet in the center; thence running to a point at the west corner of Robert Culbents store conformably to a plan herewith presented; the whole extent of land which is recommended to be taken into the street, is owned by the City, except four lots, from which about twenty five hundred Square feet; will be wanted, and for which an exchange can be made with the owners of lands in the rear of said four lots, so as to obtain what may be wanted at ten cents per foot. They pray Washington Street

for

for the same in adjoining City lands at twenty cents per foot, so that the whole improvement can be effected without money, except the additional expense of having a wider Street. Your committee therefore recommend the acceptance of the following order which is respectfully submitted.

D. Carney, per order of the committee on Neck lands.

Ordered, that the Mayor be authorized to sell, not exceeding two thousand square feet of land from the Southerly end of the Bull pasture near Roxbury line; for not less than twenty cents per square foot; provided he can obtain lands adjoining said pasture, in payment for the same at, not exceeding ten cents per square foot, for the purpose of widening Washington Street, between Northampton Street and Roxbury line. Read and accepted, and the order passed.

Sent down for concurrence.

Came up Concurred.

Lewis

Sent Shiff

Communication from Edwin Adams, representing, that John Lewis, a coloured man of Boston, barber, does by excessive drinking and idleness so waste his estate as thereby to subject himself to want and suffering circumstances, and the City to a charge for his support and maintenance; Read and thereupon ordered, that the said Lewis be summoned to appear before this Board on Tuesday, the sixth day of June next, 10 o'Clock A. M., and shew cause if any he have, why the Mayor & Aldermen should not make complaint to the Judge of Probate, that a Guardian to said Lewis may be appointed according to law.

Adjourned to Tuesday the Sixth day of June next 4 o. p. m.

Met according to adjournment.

Present The whole board except Alderman Welsh.

The committee of both branches of the City Council, to whom was referred the subject of inquiring into the expediency of abolishing the office of Health Commissioner, and of transferring the duties to any other officer or officers. have duly considered the subject and do report, that it is inexpedient to abolish the office of Health Commissioner, but upon the subject of transferring certain duties now discharged by said officer, your committee ask leave to report, an ordinance on the quarantine department as a substitute for that now existing. The difference between the two ordinances will more fully appear, on a comparison of the same with each other than can be so clearly shown in this report. All which is respectfully submitted. Henry J. Oliver, in behalf of Committee. Health Com.

Read and accepted. Sent down for concurrence.

An ordinance establishing and regulating the quarantine of vessels, and for repealing a former ordinance upon that subject. Read and passed. Quarantine of vessels.

Sent down for concurrence.

Came up concurred, with amendments. Read & concurred.

The subject of Merchants Row, being again read and considered, the board reconsider their former vote and they now concur with the Common Council with an amendment, at B. to strike out "ten thousand" and in lieu thereof insert, Merchants Row.

"Six

213. "Six" thousand, five hundred". Sent down for concurrence.
Came up concurred.

Dike. Order of the Common Council appropriating one thousand dollars for breeding the Dike conformably to the city ordinances in relation thereto September 1st & November 14th 1825. Came up for concurrence.
Read and concurred.

Firemen Ward No 4. Dennis Brigham was nominated and appointed foreman of firemen of Ward No. 4, instead of Watson Freeman resigned; John W. Harris and William Taylor were chosen assistants. William Greene and Samuel Perkins Higginson were chosen firemen for said ward.

Hogreeve & Hayward and field drivers. James Powers was appointed a Hogreeve & Hayward and field drivers. Sent down for concurrence.
Came up concurred.

Vigilent fire society. The petition of the Vigilent fire society praying that they may be recognized and admitted to the privileges specified in the order establishing a fire department, & that a general badge may be assigned to distinguish them & similar societies from the other branches of the fire department. The board having taken into consideration the above mentioned petition, and they find said society regularly organized, and they having communicated a copy of the rules established for their government and the same being found satisfactory to the board, and they having also filed a list of their members conformably to the Resolve of the City Council of the twenty

seventh

seventh day of April, last. Thereupon it is ordered, that the said fire society be recognized as a company associated for the purpose of protection against fire, and that the list of officers and members thereof be entered by the Clerk of Common Council conformably to the above mentioned resolve.

Ordered, That the badge assigned to be worn by the members of all companies associated for mutual protection against fires who shall have been recognized as such by the Mayor and Aldermen conformably to the resolve of the City Council of the twenty seventh day of April, last, shall be a Baltimore hawk to be worn on the hat, of the same size and form with that assigned to the firemen, painted of a sky blue ground, with the name of the society in gilt letters.

Mr. Waters came up with a message from the Common Council, proposing a Convention of the two Boards forthwith, for the purpose of electing a City Treasurer & Collector. Alderman Loring was charged with a message to inform the Common Council, that the Board of Aldermen concur in the proposition to form a Convention at the time, and for the purpose above expressed. Convention proposed

In Convention.

Agreeably to assignment the two branches of the City Council met in Convention in the Common Council Chamber, for the purpose of electing by ballot, a City Treasurer & Collector, and the votes being taken, it appeared that William Mackay, Esquire was unanimously elected. Treasurer chosen

The business of the Convention being accomplished the two boards separated.

215.

Tucker
Buchan st

Petition of John Tucker, praying to be remunerated for land taken from him to widen Buchan Street Read and committed to Aldermen Bellows and Robbins to consider and report, and said committee are instructed to take down the building of Solomon Bolton, standing in said Street.

Jackson
south Allen Street

Petition of Ward Jackson, and others, praying, that South Allen Street may be accepted by the City, and that said Street may hereafter be called W. Lean Street, in honor of John W. Lean a munificent benefactor of the Massachusetts General Hospital, to which said Street is the principal eastern avenue. Read and committed to Aldermen Loring and Welsh, to consider and report.

Pitts St. &
Green street.

Application of the Belknap Congregational Society of Pitts Street, for remuneration for land taken to widen Green Street. Read and committed to Aldermen Welsh and Loring, to consider and report.

Hawes
Cows

Remonstrance of Prince Hawes, and others, against the petition of Josiah Woodward and others praying a modification of the ordinance restraining Cows going at large so as to prohibit their going at large at South Boston. Read and committed to the committee who have that subject under consideration to consider and report. Sent down for concurrence. Came up concurred.

Cotting
new Street.

Application of Amos Cotting, in behalf of the owners of land, between Common, Court and Washington streets praying, that a new street may be opened from Cornhill

Hawes

square to Common street, through the County land and land of the Petitioners. Committed to Aldermen Bellows, Loring & Robbins to consider and report.

Elisha Penniman, in consideration of fifteen hundred dollars, agrees to take down and remove his store on Washington street, which petition is accepted; and the Committee upon that subject are authorized to agree upon and nominate referees to settle the damage done to the tenants. Penniman Washington St.

The committee of the southern district, at their own request are discharged from any further consideration of the petition of William Wright, and the same is committed to the Mayor, Aldermen Oliver and Robbins, to consider and report. Wright.

Petition of Ephraim Dodge, & others, praying, that Second street, at South Boston may be opened and laid out from the City's land to the Ship yard. Read and committed to the Mayor, Aldermen Oliver & Robbins, to consider and report. Dodge Second St.

Petition of John Brazer, praying, that the Common Sewer, in Crop street from Hanover to Sun streets, may be taken up and rebuilt, and the expense thereof assessed upon those who shall be benefitted thereby. Read and thereupon ordered, that notice in the newspapers be given to all persons interested to appear before this board on monday next, four o'clock P. M. and object to the same if they see cause. Brazer Crop St.

Petition of John Miller Russell and others, praying, that a new Common Sewer may be laid in the southerly end of Federal street, and the expense thereof assessed Russell & Federal St.

upon

217. upon them who shall be benefitted thereby. Read and thereupon ordered, That notice in the newspapers be given to all persons interested to appear before this board on monday next, four o'Clock P. M. and object to the same, if they see cause.

Crocker & Ann street. Petition of Mathias Crocker and others praying, That Ann street extending from Gaffney's bakery, so called, now owned by Robert G. Shaw, Esq. to the house of Mr. Gordon, opposite Mountfort's corner, so called, near the North Square may be widened agreeably to the Plan and agreement made with the Selectmen of Boston, about twenty five years since. Read and committed to Aldermen Marshall and Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence: came up concurred: and the Common Council joined on its part; Messrs. Grosvenor, Lodge and James.

Engines No. 3 & 5 The committee on the petition of Engine company No. 3, praying, that they may be allowed the premium of twenty five dollars, for the last year, notwithstanding their company was not full, or had the compleat number to entitle them to such premium, at the commencement of the year; Reported, That it is expedient to grant the prayer of said petition; and also petition praying been presented by Engine company No. 3, under similar circumstances, the committee recommend, that the same sum of twenty five dollars, be allowed them.

Per order of the Committee, J. Bellows. Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

The committee of the City Council to whom was referred the annual report of the Auditor of accounts in relation to the receipts and expenditures of the last year; with instructions to report what amount of tax ought to be laid for the present financial year; have given due consideration to the subject with which they were charged, and respectfully ask leave to report,

That they find the whole amount of the appropriations at present made by the City Council to meet the expenditures of the current financial year, to be $308,070.00

In considering the course of expenditure in preceding years your committee find, that considerable difficulty has arisen from the want of some fund placed at the disposal of the City Council, to meet such objects of expenditure as may occur after the passage of the general appropriations, which are granted at the commencement of the financial year. With so many different interests to consult, and at a period so favourable to improvements of various kinds, it is impossible for any committee of the City Council, however minute may be their investigations, to anticipate every possible point in which the necessity of expenditure may arise. To relieve this difficulty, in some measure, during the present year, the committee believe that the circumstances of the City will authorize an appropriation of the sum of fifteen thousand dollars to meet objects of expenditure, which the City Council may hereafter deem necessary, and for which no special appropriation has been made; with the condition that any part of this sum which may not be required for other purposes shall be applied towards the extinguishment of the public debt of the City. This sum added to the amount of appropriations heretofore granted will form an aggregate of $323,070.00 to meet which the committee have

the

Receipts & expenditures &c.

219. Receipts & expenditures &c.

The Honor to submit the following estimate of ways & means.

Balance of money in the City Treasury, May 1st 1826.	$ 14,316.32
Income from City rents	20,000.—
Probable sales of City property	10,000.—
Income on bonds & notes, held by the City	6,000.
From the Commonwealth for the support of State prisoners	10,000.—
From the Health department, including quarantine fees, funeral fees, sales of street dirt &c.	5,000.—
From assessments for common sewers	4,000.—
From licenses for public exhibitions &c.	2,500.—
County rents, civil & criminal costs, fines, fees, jury verdicts, licenses to retailers &c.	20,000.—
Outstanding taxes, small debts &c.	11,053,68
	103,070.00
Leaving to be provided for by tax	220,000.00
	$ 323,070.00

In conformity to the above statement, the committee unanimously recommend to the City Council, to lay a tax of two hundred and twenty thousand dollars, on the inhabitants of the City and County during the present financial year. In proposing an increase of the tax, the committee think proper to recal to the recollection of the City Council the fact, that notwithstanding the increased expenditures consequent upon the various public improvements which have been made within the last three or four years, the ratio of taxation has been much less than it was for several years preceding the establishment of the City government. For the years 1819 & 1820, the ratio was eighty cents upon every hundred dollars of valuation, and since that time, although the amount of tax has been increased, yet the income of taxable property has been in so much greater proportion, as to reduce the ratio to seventy cents upon the hundred dollars, which was the basis of the last years assessment. If the tax now recommended

should

should be passed by the City Council, it will amount to only seventy seven cents upon the hundred dollars, even if it should be found that there has been no increase of taxable property since the last year. Upon the propriety of meeting the ordinary expenditures of the City government for each year with resources raised within the year; and without recurrence to permanent loans, your committee believe there can be but one opinion. In any great public improvement, the commencement & completion of which are to fall within the limits of a single year, but the benefits of which are to be extended to all future years, a proportion of the expense may, with justice, be deferred for future payment; but it does not need the force of an argument to prove, that all disbursements which are of continual occurrence, should be defrayed from an income simultaneous with the expenditure. With these views the committee respectfully recommend to the City Council the adoption of the annexed order. In behalf of the Committee.

Josiah Quincy, Chairman.

An order laying a tax to pay the expenses of the City of Boston and the County of Suffolk, during the current financial year:

Ordered, That the sum of two hundred & twenty thousand dollars be raised by assessment on the polls & estates of the inhabitants of this City, agreeable to law, to pay the current expenses of the City and of the County of Suffolk during the financial year, which commenced on the first day of May 1826 and will close on the thirtieth day of April 1827.—

Read and accepted, and the order passed.

Sent down for concurrence.

Came up concurred.

Inn Street

Resolved, That the whole board will meet to morrow morning, eight o'Clock, in Inn Street, for the purpose of considering the expediency or necessity of widening said Street by taking a part of the land belonging to Nathaniel Saxon and Samuel Hammond, for that purpose, and that Mr. Saxon and Hammond be notified to attend.

Neck lands
Report of Com.ee
Vide fol.o 127.

Adjourned to eight o'Clock tomorrow morning

Wednesday, June 7th 1826.

Met according to adjournment.

Present. The whole board except Alderman Jackson.

Inn Street

Agreeably to assignment the board proceeded to view Inn Street, in front of the estates of Messrs. Hammond and Saxon, who were duly notified, and said Saxon appeared. After a full hearing and mature consideration, the board are of opinion that it is inexpedient to widen said Street, by causing said Hammond and Saxon to set back their walls.

Parker
Bowdoin Sq.

Petition of Benjamin Parker and John Gray Rogers Guardian of Hannah Rogers, minor. That a well may be sunk in Bowdoin Street, and that they be permitted to take sections from it, for the use of their houses in said Street. Read and thereupon ordered, that the prayer of said petition be granted, upon condition, and the well to be in front of the lots, and that the petitioners be allowed to take two sections only, that is one for each of their houses from said well.

The former committee on the petition of Walter Channing, trustee under the will of Mary Gibbs; W. Gibbs Channing and Sarah Gibbs are discharged at their own request, and thereupon ordered, that the same be committed to the committee who have under consideration the petition of the heirs of Mary Gibbs, to consider and report. Channing

Sent down for concurrence.

Came up concurred.

The board proceeded and viewed Beacon street and Park street and thereupon ordered that A. D. Fuller, Esquire, be directed to prepare a plan of excavation of Park Street, Beacon Street, and Temple Street in the vicinity of the State House. Beacon Park and Temple St.

Adjourned to Monday next, four o'clock P. M.

Monday June 12th 1826.

Met according to adjournment.

Present The whole board.

The reports of the several committees and the resolves of the Common Council upon the subject of a new marginal street, and second street, came up for concurrence. Read and committed to the Mayor, Aldermen Marshall and Oliver, to consider and report. New streets.

Ordered, that the Mayor, Aldermen Welsh & Oliver, be a committee to inquire into the expediency of removing the Police Court, to the County buildings in Leverett street immediately contiguous to the Gaol, and should the present accommodations be deemed inadequate to the necessity of said Police Court.

Court

Court. that said Committee be authorized to inquire into the expense of such additional provision and report thereon.

Canal

Ordered, that the committee of the Northern district be authorized to provide one or more suitable basins in the Canal the more effectually to secure the boats from receiving injury which are used in receiving & conveying the street dirt.

Juvenile Offenders

Communication from the Directors of the House of Industry. Read and thereupon resolved; that the Directors of the House of Industry be the Directors of the House for the employment and reformation of juvenile offenders until the City Council shall otherwise direct. And that so much of the east building at South Boston, which was erected and is or may be fitted as a House of Correction be appropriated as a House for the reception, instruction, employment and reformation of juvenile offenders. Sent down for concurrence.

Came up Concurred.

Funeral Undertaker

Thomas Seward was nominated and appointed a funeral undertaker, to bury the dead of the house of Industry, agreeable to the application of the Directors of said house.

Sears Beacon and Somerset st.

Communication from David Sears, Esq. relative to land taken from him at the corner of Beacon & Somerset Streets, making no claim for said land unless more hereafter shall be taken. Read and filed.

Resident Phy.

Several applications from the following Physicians, for the office of Resident Physician at Hospital Island.

Read

Read and sent down, viz: Williams Bradford, Theodore Dexter, Josiah Stearns Hurd, Thomas Palmer, Thomas J. Parker, Jerome V. C. Smith, James M. Whittemore and Charles W. Winship. Resident Physician

Agreeably to assignment the board proceeded by ballot to the choice of a Resident Physician on the part of this board, and the votes being taken, were as follows

Whole number of votes . . . 9.
Necessary to a choice . . 5.

Doctors Williams Bradford had 3.
Jerome V. C. Smith " 3.
Thomas J. Parker " 2.
Theodore Dexter " 1. 9.

No one having a majority of votes. The board again proceeded to ballot, and the whole number were as before 9.

Doctors Williams Bradford had 3.
Thomas J. Parker " 3.
Jerome V. C. Smith " 3. 9.

No one having a majority of votes. The board again proceeded to ballot, & the whole number were as before 9.

Doctors Williams Bradford had 4.
Josiah S. Hurd " 2.
Jerome V. C. Smith " 2.
Thomas J. Parker " 1. 9.

No one having a majority of votes. The board again proceeded to ballot, & the votes were found to be as follows viz:

Whole number of votes 8.
Necessary to a choice 5.

Doctors Williams Bradford had 4
Jerome V. C. Smith " 3.

Thomas

No person having a majority of votes, thereupon ordered, that the further consideration of the subject be postponed to the next meeting.

Island Keeper

Applications for Island Keeper, from the following persons were received and read, viz: Moses L. Hobard, Josiah R. Tewksbury, George P. Sumner, Ebenezer Shaver, Charles Parsons, and Daniel K. Sheafe.

Merchants Row.

It appearing to this board, that the sum of Six ~~hundred~~ Thousand Five hundred dollars has been subscribed by individuals for the purpose of widening Merchants Row. Thereupon resolved, that the whole board will meet in said street, on Wednesday next, nine o'clock, A. M. for the purpose of considering the necessity or expediency of widening said street, by taking a part from the buildings and land on the south-westerly side thereof for that purpose. And that the proprietors of estates interested, be notified, that they may take notice and govern themselves accordingly, viz: G. & W. Tuckerman, Downer & Baldwin, Thomas L. Winthrop, Jonathan Phillips, William Bordman, David W. Bradlee, the heirs of Boza Tucker, William Sewall, Elmy Butler, Guardian of the minor heirs of said Tucker.

Brazer Cross street

It appearing to this board, that notice has been given, agreeably to the order passed on the sixth instant, on the petition of John Brazer, that the common sewer in Cross street, between Hanover and Ann streets, be taken up and relaid and the expense thereof assessed upon those who shall be benefitted thereby. And no person appearing to object, it is thereupon ordered, that the prayer of said petition be

granted

granted, and that the same be referred to the Mayor 226.
to see it executed.

It appearing to this board, that notice Russell
has been given agreeable to the order passed on the 6th Federal Street.
instant, on the Petition of John Miller Russell and others,
that a new common sewer be built in Federal street, at
the northerly end thereof, and the expense thereof apeared
upon those who shall be benefitted thereby. And no person
appearing to object. It is thereupon ordered, that the prayer
of said Petition be granted, and that the same be referred
to the Mayor to see it executed.

Petition of Frederick A. Gay, pray- Gay
ing, that the common sewer in Margaret street, be taken Margaret St.
up and relaid, and the expense thereof apeared upon those
who shall be benefitted thereby. Read and thereupon or-
dered, that notice be given in the newspapers, for all
persons interested to appear before this board on Monday
next, at four o'clock, P. M., and object to the same
if they see cause.

Petition of James Dennison and Dennison
others, praying, that the common sewer in Castle Castle St.
street, be continued to the channel, and the expense
thereof apeared upon those who shall be benefitted
thereby.

Read and thereupon ordered, that notice be
given in the newspapers, for all persons interested
to appear before this board, on Monday next, at
four o'clock, P. M. and object to the same
if they see cause.

Annual Repts receipts Expts.

Ordered, That the Auditor of accounts be and he is hereby directed to cause six thousand copies of the Annual report of the receipts and expenditures of the City of the last year, and the estimates of the current year, together with a particular statement of all City property to be printed and distributed for the information of the Inhabitants. Sent down for concurrence.

Came up concurred.

Adjourned to Wednesday next nine o'clock A.M.

Wednesday June 14th 1826.

Met according to adjournment.

Present The whole board except Alderman Welsh.

Paupers

Ordered, That the Mayor be requested to prosecute all persons who have been guilty of a breach of the law to prevent the introduction of Paupers from foreign Ports or Places.

Oil

Ordered, That the committee on supplying the City with oil for lighting the lamps be authorized to engage a quantity of oil, not exceeding ten thousand gallons, at seventy cents per gallon.

Merchants Row,

The board proceeded to view Merchants Row, and it appearing that all the owners and proprietors of estates have been duly notified, and no person appearing to object, thereupon resolved, that the safety and convenience of the Inhabitants require, that the street called

Merchants

Merchants Row, should be widened, and the same is laid out and widened accordingly, viz:- Beginning at a point on the northerly side of State street, forty nine feet, eight inches westerly from the southwesterly corner of the store on the easterly side of Merchants' Row, and northerly side of State street; thence running northerly in a straight line to a point on the northerly side of the estate belonging to Jonathan Phillips, Esquire; fifty feet distant from the southwesterly corner of the store belonging to David Rice, situated on the lot of land, called lot No. 1, on South Market street, measuring from the brick above the first story; thence running parallel with the westerly side of said Rice's store and fifty feet distant therefrom, until it intersects the present line of Merchants' Row; thence running easterly and southerly by the said line of Merchants' Row, until it meets State street, at the southeasterly corner of William & Gustavus Tuckerman's land, running westerly by State street, nineteen feet four inches more or less to the point of beginning, taking five hundred & seventy six and one third square feet of land from said William & Gustavus Tuckerman; eleven hundred & seventeen square feet from the heirs of Beza Tucker; five hundred & forty six square feet from Samuel Downer; six hundred & seventy one square feet from Wm. Bordman five hundred & one square feet from Jonathan Phillips; two hundred & forty five & one half square feet from Thomas L. Winthrop; seventy nine & one third square feet from Henry H. Tuckerman according to a plan thereof taken by S. P. Fuller, Surveyor, dated June 13th 1826.

Ordered, that the street leading from River street to Hamilton street, be hereafter known & called by the name of Wendell street. — Wendell street

Adjourned to 4 o'clock P. M.

(Afternoon.

Met according to adjournment.

Present as before.

Res. Physician — Agreeably to assignment the board proceeded by ballot, to the choice of a resident Physician, at Hospital Island, the year ensuing, and the votes being taken, it appeared that Doctor Jerome V. C. Smith was unanimously chosen, the whole number of votes being seven. Sent down for concurrence. Came up & concurred: —

High Street. Ordered, that the owners of three estates on the easterly side of High Street, near Federal street, be notified to appear before this board, on Monday next, four o'clock, P. M. and shew cause, if any they have, why said street should not be widened, by taking a part of their land, for that purpose.

Engineer Benjamin T. Reed, was nominated and appointed an Engineer of the fire department in place of Samuel T. Coolidge, who declined serving. Sent down for concurrence. Came up concurred.

Jenks Petition of the Revd Dr William Jenks, in behalf of the Directors of the Boston society for the Religious and moral instruction of the poor, for the use of Franklin School house, on Sundays for one of their Schools — Read and committed to the Common Council to Messrs Tapsell, Wm Parker and Baker, with such as the board of Aldermen might join, to consider & report. Came up for concurrence. Read & concurred & Aldermen Carney & Jackson are joined.

Communication from Daniel Baxter, relative to the line of Harvard Street, and praying that the extension of said street may be postponed until he shall have an opportunity to make explanations relative to the true lines of his estate on said street. Read and committed to Aldermen Kearney and Jackson, to consider & report. Baxter. Harvard Street.

Communication from William Sullivan Esq. stating, that if the buildings which are about to be erected from the corner of Oliver street to Aaron Bancroft's house, shall be placed four feet back, he said Sullivan is willing to give as much of his land on the other side of said street, as will make a straight line from the brick house next above. Read and thereupon ordered, that if said street shall be widened upon the principles contained in said Sullivan's letter, the City will pay five hundred dollars; provided five hundred dollars more shall be paid by individuals. Sullivan. Oliver St.

Petition of Walter Cornell & others, praying that the common sewer in Castle street, may be extended westerly, so far on the flats as will protect the health of the Citizens. Read and thereupon ordered, that notice be given in the newspapers, for all persons interested to appear, before this board, on monday next, four o'clock P. M. & shew cause, if any they have, why the prayer thereof, should not be granted, and the expense thereof assessed upon those who shall be benefitted thereby. Cornell. Castle St.

James Wilson was nominated and appointed Cryer of the City of Boston the year ensuing. Wilson. Cryer.

Rogers Beacon street

The referees appointed to ~~[illegible]~~ ascertain and award the damage to the devisees of the late Daniel D. Rogers, reported, that the City of Boston may to the devisees of said Rogers, seven hundred dollars for the land taken from their estate on Beacon street and for all other injury or damage the said estate may have sustained in consequence of taking the said land, and also fifteen dollars for the expenses of this reference. Read and accepted.

Dodge Wright

The several petitions of Ephraim Dodge and others, and William Wright relative to the opening certain streets at South Boston, ~~[illegible]~~ ordered to lie upon the table.

Adjourned to Monday next, four o'clock P.M.

Special meeting.

Thursday June 15th 1826.

Present. The whole board except Aldermen Marshall and Welsh.

Rainsford Island &c.

The board visited Rainsford Island and the several Hospitals and other Buildings thereon in company with Dr. Smith the resident Physician. The board also visited Spectacle and Deer Islands.

Fence

Ordered that the quarantine committee consider the expediency, and if deemed expedient, to erect a plain fence between the Hospitals on the west head of Rainsford Island and the burying ground.

Warning Bell

The communication of Thomas Jackson Health Commissioner respecting the repairs of buildings on said Island

Island; which were ordered to be made. That the same are completed. Read and thereupon ordered, That Wm. Pearsey's bills for said repairs be paid.

Adjourned to Monday next. four o'clock P. M.

Special meeting.

Saturday June 17th 1876.

Present. The whole board.

Capt. John Shackford, commander of the Schooner Boundary, appeared before the board and upon his representation Ordered, That the Mayor be requested to give orders to have said vessel discharged from attachment on the suit of Josiah Quincy, Esq. qui tam against said Shackford for an alleged breach of the law to prevent the introduction of Paupers from foreign ports or places; provided he defendant shall give a bail bond in the penal sum of two thousand dollars to respond said suit, and pay the expense of the attachment of the property. Shackford Sch. Boundary Paupers.

Order of the Common Council directing the City Clerk to give notice in two newspapers published in this City, that proposals for performing the printing of the City the ensuing year will be received until the twenty sixth day of June instant, and that the person offering to do the same on the lowest terms be employed regard being had to the manner of performing the work and the goodness of the materials used therein. Printing

Came up for concurrence.

Read and concurred.

Religious Societies

Order of the Common Council appointing Messrs. Lincoln, Lodge, Clarke, Peabody and Jarvis with such as the board of Aldermen might join, a Committee to consider whether any, and what measures can be adopted to prevent the interruption and disturbance of Religious societies during public worship on the Lord's day, by the driving of carriages through the streets; with instructions to inquire into the means of preventing the side walks from being obstructed, by Citizens on said day. Came up for concurrence. Read and concurred, and Aldermen Carney Welsh and Loring are joined.

Independence Orator declines

The Mayor communicated a letter from the Rev.d Henry Ware, Junior, stating, that owing to indisposition, he had made arrangements to go on horse back a long tour, and that he should be absent ten or twelve weeks; therefore he was under the necessity of declining the delivery of the oration on the anniversary of our national Independence. Read and thereupon ordered, that the same be committed to the Committee of arrangements on the celebration of the next anniversary of American Independence; who are instructed to report what measures it will be necessary to take to supply an Orator on that occasion.

Sent down for concurrence

Came up concurred.

Adjourned to Monday next, four o'clock P. M.

Met according to adjournment.

Present. The whole Board.

Petition of William Dall & others, praying, that a well be dug near the Franklin School house on Washington Street. Read and committed to Aldermen Carney and Loring with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Torrey, Hastings & Barry. Dall Franklin School house

Ordered, that all persons whose estates bound on Hull Street, be notified to appear before this Board, on monday next, four o'clock, P. M. and shew cause if any they have, why the common sewer in that Street should be taken up and relaid and the expense thereof charged upon those who shall be benefitted thereby. Hull Street Common Sewer

Order of the Common Council appointing Messrs. Barry, Bassett & Hastings, with such as the Board of Aldermen might join, a committee to consider whether any, and if any what alterations or amendments are necessary to be made in the Charter of the City, in order that vacancies in City offices may be filled with promptitude, and that some further measures may be adopted to secure more effectually the perfection of the ward lists, that if possible no person hereafter who has conformed to all the requirements of the Constitution may be deprived of the right of suffrage. Came up for concurrence. Read and concurred, & Aldermen Welsh and Oliver are joined. City Charter alteration.

City Charter alteration.

Order of the Common Council, appointing Messrs. Dorr, Jarves & Boies, with such as the board of Aldermen might join, a committee to inquire whether an attempt has been made to alter or amend the City Charter without the knowledge and consent of the City Council, or of the Inhabitants of said City, and if so what order it is proper for the City Council to take in relation thereto. Came up for concurrence. Read and concurred. & Aldermen Loring and Robbins are joined.

Doane street.

Resolved, That the whole board, will meet in Doane Street, on Wednesday, next, one o'Clock P. M. for the purpose of considering the expediency of widening said street, at each end, and that the owners of the estates which will be affected by such widening be notified then & there to appear and object if they see cause.

Potter & Weiss

Application of Richard Potter & Simon Weiss, to be licensed to exhibit at Concert Hall, Ventriloquism, experiments &c. Read and the prayer thereof granted, for five nights, paying therefor two dollars each night.

Island Keeper Rainsford Island

Agreeably to assignment the board proceeded to elect by ballot a Superintendent of Hospital Island, and the votes being taken, it appeared that Moses D. Hobart was chosen. Sent down for concurrence. Came up, non concurred, the Common Council having elected on its part George P. Sawyer. Committee of conference appointed — Vide Folio 246. both board recede and appoint Joseph Oliver — Vide Folio 356. —

Petition of Caleb Loring, Junior, weigh- Loring
er of boats and lighters praying that an order or regula- weighing of boats
tion may be adopted to conform to the present custom of &c.
weighing by decimal weights. Read and committed to
Aldermen Marshall and Oliver to consider and report.

The committee on the application of John M. Dearborn, relative to numbering Hancock street reported, that the Petitioner have leave to number the Houses on said street, by commission and at the expense of the owners thereof, beginning at the north entrance on Cambridge street and placing the odd numbers on the right side, and the even on the other, and conforming to the order of the Board in relation to vacant lots. Read and accepted. Hancock Street.

The committee on the petition of Mary Homer, for remuneration for land taken to widen Derne street, in November, last, reported, that she be paid therefor, one dollar and seventy five cents per square foot, amounting in the whole to two hundred and seventy eight dollars, eighty three cents. Read and accepted. Homer Derne St.

Application of the Independent friendly fire society, praying to be recognized by the fire department, they having filed a list of the members of said society and complied with the rules & regulations in such case made and provided. Read and the prayer thereof granted. Inde pendly ne Society

Ordered, that the petition of Walter Cornell and others, praying, that the common sewer in Orange Cornell Orange Place

Place

place may be extended so far on the flats, as to protect the health of the Citizens, on which an order of notice has been published, be referred to the Mayor.

Gay, Magnolia St.

It appearing to this board, that notice has been given on the petition of Frederick A. Gay, to have the common sewer in Magnolia street taken up & relaid, and no person appearing to object, it is ordered, that the same be referred to the Mayor, with authority to have it done, agreeable to the prayer of said petition.

Dennison, Castle St.

Ordered, that the petition of James Dennison, and others, praying that the drain in Castle street be continued to the Channel, on which an order of notice has been published, be referred to the Mayor, with authority to have it done as prayed for, if he shall think fit.

High Street.

It appearing to this board, that Mssrs Thomas Brower, Thomas Lomis and John B. Andrews owners of land and buildings on High street have been duly notified and they accordingly appeared and after a full hearing — thereupon resolved, that the safety and convenience of the Inhabitants require, that High street should be widened; and the same is laid out and widened accordingly viz: beginning at the westerly corner of Peleg Tallman Esq.'s land running southwesterly to land of William Hill to a point one foot and eight inches northwesterly from the northerly corner of said Hills easterly house, then running northwesterly on said Hills land to the present line of High street; then northeasterly on said present line of High street about twenty-

Seven

seven feet, eight inches to land recently belonging to said Talleman now a part of High Street; thence southeasterly to the point of beginning, taking from said Andrews' land eighty seven & an half square feet. Also beginning at the northwesterly corner of said Hills' land, at a point one foot and eight inches northwesterly from the westerly corner of said Hills westerly house; thence running southwesterly in a line to a point five feet eight inches southeasterly from the northerly corner of William Lovering Junior's land on the southerly side of the passage way leading to Punchase Street about seventy one feet, to said passage way; then northwesterly on said passage way about five feet eight inches to the present line of High Street; thence running northeasterly about seventy one feet, to land formerly of said Hill, now a part of said High Street; thence southeasterly five feet two and a half inches to the point of beginning, taking from said Jones' land one hundred and thirteen square feet, and from said Brewer, three hundred & eleven square feet, as marked on a plan taken by S. P. Fuller Surveyor. dated March 12. 1826.

The committee on the subject of the appointment of an Orator for the approaching anniversary of American Independence having attended to the duty assigned them, ask leave to report, That it being now certain that the Revd. Wm. Ware, who had been appointed for this interesting occasion will be prevented from performing this duty, by a cause which your committee in common with their fellow citizens deeply lament; they have turned their attention towards procuring a substitute for that distinguished gentleman. After due deliberation, and considering the peculiar

Orator 4th July

Circum stances

Orator 4th July

circumstances of the case, your committee have concluded to recommend to the City Council, that an invitation be given to the Hon.ble Josiah Quincy, to pronounce an address to his fellow citizens on the said anniversary.

The solemnity of this particular anniversary, and the shortness of the period now to be allotted for preparation, seem to preclude the probability of obtaining the consent of any of the younger gentlemen to accept the post so unfortunately left vacant by the illness of Mr. Ware, and there seems to be a peculiar propriety, on this occasion in the appointment of a citizen, who from his age may be presumed to have witnessed some of the events, and to have imbibed the spirit which led to our Revolution.—

Your committee believe that the zeal and interest which the Mayor is known to feel and manifest in every thing relating to this celebration, will induce him, notwithstanding his multiplied official avocations, to accept this appointment, if such should be the wish of the City Council.

They therefore respectfully recommend the adoption of the following resolution. All which is submitted.

Per order, J. Bellows, Chairman.

() Resolved, that it is the wish of the City Council, that the Hon.ble Josiah Quincy, should pronounce an address to his fellow citizens on the approaching anniversary of the Independence of the United States, on the feelings, manners and principles which led to our Revolution, and that Messrs. Lincoln, Barry and Bassett, with such as the board of Aldermen might join, be a committee to wait upon that gentleman and request the performance of this duty. Read and passed in the Common Council

by

by a unanimous vote. Came up for concurrence. Read and concurred by a unanimous vote, and Aldermen Bellows, Oliver and Robbins are joined.

Petition of Coolidge, Poor and Read, Auctioneers, for the use of the westerly end of the Hall over the New Market House, for the sale of wool at auction. Read and committed to the committee on the extension of Faneuil Hall market, to consider and report. Sent down for concurrence. Came up concurred. Coolidge &c.

Adjourned to Wednesday next, one o'clock P. M.

Wednesday June 21st. 1826.

Met according to adjournment.

Present The whole board except Aldermen Welsh, Jackson & Robbins.

The board proceeded to Doane street, for the purpose of considering the expediency of widening each end of said street, and it appearing that the parties interested were duly notified, and Messrs. Adams, Brown and Parks appeared and after the board had viewed the premises Ordered, That the further consideration of the subject be postponed to Monday next, four o'clock, P. M. and the above named gentlemen agreed to take notice accordingly. Doane street

The Mayor having communicated a letter from Edward D. Bangs, Esq. Secretary of the Commonwealth enclosing a copy of the order adopted by the Governor & Council in relation to the ensuing anniversary of Independence; and inquiring whether the City Government propose to unite with the Executive Independence

Executive of the Commonwealth on that occasion. Thereupon Resolved, that the City government will unite with the Executive of the Commonwealth in the celebration and solemnities of that day, and for this purpose will wait on His Excellency the Governor and the Honorable Council in the Senate Chamber at the State House, at eleven o'clock of that day, thence to proceed to the Old South Church, where those solemnities are to be performed; and that the Executive of the Commonwealth be respectfully desired, to request in their name the Reverend Chaplains of the General Court to officiate on that occasion.

Ordered, that a copy of this vote be communicated by the City Clerk to the Secretary of the Commonwealth, and that he be requested to lay the same before His Excellency the Governor.

Ordered, that the committee of arrangements for the above celebration be requested to communicate with the Secretary of the Commonwealth relative to the measures proposed to be adopted on the occasion.

Adjourned to Monday next, four o'clock P. M.

Monday June 26th. 1826.

Met according to adjournment.

Present — The whole board.

Jones Pond St.

Petition of John C. Jones, praying, that the line of Pond Street may be run anew, & that if it shall be found, that his building encroaches on said Street, he will remove the same; Also that Lafayette Avenue may be continued to Charlestown Street, and received and recorded as one of the Public Streets. Read and committed to Aldermen Marshall

and

and Oliver, to cause a survey to be made, and to report upon the several subjects contained in said Petition.

Clarke "Liberty Pole"

Petition of Jotham Clarke, praying that the "Liberty Pole" may be replaced, previous to the celebration of Independence, the same having been removed in widening Washington street. Read and committed to Aldermen Carney and Jackson, with authority to cause the same to be replaced.

Bowditch & Washington St.

Petition of Bowditch & Cummings, praying that the subject of damage sustained by them in consequence of removing part of the building occupied by them at the corner of Essex and Washington streets, for the purpose of widening the street, be referred and adjusted. Read and committed to Aldermen Carney and Jackson, to report an estimate of damages.

Darling North Allen & Poplar Streets.

Petition of Thomas Darling, and others, praying that the passage way leading from North Allen street to Poplar street may be received as a public street and highway, and that the same may be levelled so as to meet and correspond with North Allen street. Read and committed to Aldermen Welsh and Loring, to consider and report.

Blake Bond St.

Petition of George Blake, praying that the common sewer running from Cross street to Bond street, may be extended to Stillman street. Read and committed to Aldermen Marshall & Oliver, to consider & report.

Burying ground Washington St.

Ordered, that the report of the Committee on the Washington street burying ground be referred to Alderman Oliver, Loring & Robbins, to consider & report.

Printing

Proposals for printing, received from Messrs. True and Greene, and William Beals. Read and committed to Aldermen Bellows and Loring, to consider and report.

Cambridge st drain

Ordered, That the drain leading from Cambridge street be continued to the channel under West Boston bridge, agreeable to the prayer of the petition of Ward Jackson & others. —

Hull street drain

It appearing to this board, that notice has been duly given to all persons interested in laying a common sewer in Hull street, to appear at this time and object if they see cause; and no person appearing; It is thereupon ordered, That a common sewer be constructed in said street, and the expense thereof assessed according to law; and referred to the Mayor to see it executed.

Lewis

Resolved, That it is inexpedient for the board to take any further order upon the subject of appointing a guardian to John Lewis.

Quarantine

The ordinance establishing & regulating the quarantine of vessels, and for repealing a former ordinance upon that subject. Came up from the Common Council, passed in concurrence with amendments. Read and committed to Aldermen Bellows, Oliver and Loring, to consider and report.

Wenewell Free bridge

Petition of Jonathan Wenewell, & others, proprietors of land at South Boston, praying, that the City Council would declare their acceptance of the Free bridge to South Boston, if the owners of lands shall erect the same at their

their own expense. Read and committed to Aldermen Bellow Oliver and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs James, Lodge and Sprague.

Order of the Common Council appointing Messrs Gray and Barry a committee to confer with such committee as might be appointed on the part of the Board of Aldermen relative to the subject matter of difference between the two boards in relation to an order to establish the compensation of the Mayor, and other officers of the City of Boston and County of Suffolk. Came up for concurrence. Read and concurred and Aldermen Welsh and Robbins are appointed on the part of this board. Salaries

The joint committee to whom was referred the petitions of Jeremiah Evarts and others, having attentively considered the subject submitted to them. After having viewed the several estates belonging to the petitioners, heard the respective parties in support and explanation of their claims, and examined their vouchers; your committee are of opinion: That they are entitled to the indemnity award to them by the laws of the land; subject, however, to a fair and reasonable allowance for such obvious and unquestionable improvements as their respective estates may have derived from the alterations made under the sanctions and at the expense of the City government. Your committee having no certain rule to guide them in fixing the amount of this allowance; which must of necessity be made from a general estimate of various circumstances to which various degrees of im- Evarts petitioners &c.

portance

Pinckney St.

portance would be attached by different minds, were minds unprejudiced. That whatever errors they may have committed in making this estimate should operate in favour of the petitioners. They have, therefore, in no case deducted from the amount claimed by any one of them more than fifty per cent. for their supposed improvements. In two instances out of the eleven submitted to them, the amount obtained by the application of this rule, has been diminished by deducting such expenses as your committee considered not necessary as repairs, and of course fairly chargeable to the proprietors as their own voluntary improvements. Proceeding upon the general principles, your committee have come to a result which will appear by the following order which they recommend for the adoption of the City Council. All which is respectfully submitted. — David Sears, Chairman;

Ordered, That the sum of fifteen hundred and thirty six dollars and eight cents, be and the same is hereby allowed to be paid out of the appropriation for widening streets, for the purpose of indemnifying the proprietors of estates on Pinckney and Summer streets, for damages sustained by alterations recently made in said streets to be distributed in the following proportions, after the parties shall have respectively given a receipt in full for their said claims; — that is to say — to Isaac Schofield, the sum of two hundred and thirty six dollars and fourteen cents; to Samuel Whitney, the sum of one hundred and two dollars, & ninety seven cents; to Samuel D. Parker, the sum of four hundred and sixty six dollars and forty three cents; to Jeremiah Evarts, the sum of sixty dollars; to John Callender, the sum of one hundred & seventy two dollars and sixty two cents; to Jonathan Loring, the sum of seventy five dollars and seven cents; to William Simmons, the sum of sixty nine

dollars

dollars and twenty two cents; to Jesse Shaw, the sum of ninety five dollars and seventeen cents; to John Pratt, the sum of sixty nine and twenty two cents; to Henry Hill, the sum of seventy eight dollars and ninety cents; and to Ebenezer T. Andrews, the sum of one hundred and two dollars, and thirty four cents. Read and accepted, in the Common Council. Came up for concurrence. Read and concurred.

Petition of the Suffolk fire society, accompanied with a list of the members names, and their rules and orders, praying, that they may be received into the fire department. Read and accepted, and ordered, that the Mayor certify the names of said society to the Chief Engineer. Suffolk fire Society

Communication from the Chief Engineer of the fire department relative to enforcing the laws in relation to brick and wooden buildings, and other violations of the laws to secure the City against damage by fire; and asking instructions in relation thereto. Read and committed to the Mayor to direct the Chief Engineer to prosecute all violations of the laws. Chief Engineer to prosecute.

The Common Council having now concurred with the board of Aldermen, in the choice of an Island Keeper, and elected George P. Dawson; on their part. Came up for concurrence. Read and thereupon ordered, that this board do adhere to its former vote, and that Aldermen Fellows, Elliot and Robbins, be a committee to confer with such committee as the Common Council shall appoint on its part, relative to the subject matter of difference between the two boards. Sent down for concurrence. Came up concurred, and the Common Island Keeper

Council

2 M. Council appointed on its part, Messrs. Hastings, Morey and Hallet.

Houghton — The report of the Committee on the subject of a grant to the widow of Jonathan Houghton, a Watchman, who was murdered in discharge of his duty, being again read, the Board reconsider their former vote, and concur with the Common Council with the following amendments, viz. A to strike out "Children" and also to strike out from B to C. Sent down for concurrence. Came up concurred.

Independence — Letter from the Hon.ble Josiah Quincy, accepting the appointment of the City Council to deliver an address on the anniversary of Independence.

Read and sent down.

Consulting Physicians. — Agreeable to assignment the Board proceeded to the choice by ballot of nine consulting Physicians, and the votes being taken, it appeared, that Doctors Thomas Welsh, John C. Warren, James Jackson, John Gorham & Horace Bean were chosen. Sent down for concurrence.

Came up concurred.

New Streets — Resolved, That the sum of twenty thousand dollars be, and the same is hereby appropriated towards making a Marginal street, or public highway, to run from the City wharf at the eastern end of the New Market house to Exchange or Lewis' wharf, and thence communicate with Ann street, be a street forty feet wide, according to a plan thereof, taken by S. P. Fuller, dated the twenty seventh day of March 1826, on the following

Vide Ante Page 158.

conditions

conditions, to wit; That the proprietors of estates over which the same shall run shall cause to be made a good and substantial highway or street, not less than sixty five feet wide, to commence and terminate as aforesaid; to be faced on the southeasterly side by a strong and permanent sea wall; and shall construct a substantial bridge across the Mill Creek in such manner as to connect the said Marginal street with the said City wharf; — and that when they shall have completed the same to the satisfaction of the Surveyors of Highways the Mayor of the City be; and he is hereby authorized and directed to pay the said Proprietors so building the same or any person or persons duly authorized by them to receive the same, the sum of twenty thousand dollars above appropriated.

Resolved, That whenever the proprietors of the lots aforesaid shall cause a street or public highway, to be made at their own expense, or the expense of any part of them not less than fifty feet wide, according to the projection of the street called "Second street," on the plan referred to in the foregoing first resolution, and shall cause the same to be completed to the satisfaction of the Surveyors of highways, or shall give such security for doing the same within one year from the date hereof, as shall be satisfactory to the Mayor and Aldermen; and shall also construct a substantial bridge across the Mill Creek, then the City hereby promises and agrees to accept the said street, as well as Marginal street aforesaid; and to open a street forty feet wide to run parallel with the north side of North market street from what was recently called the Rockbrook passage to the Mill Creek, — also laid down on the plan aforesaid; to be used forever

as

New Streets.

as a public highway. And it is hereby expressly understood, that the said sum of twenty thousand dollars is appropriated by the City Council as aforesaid, in consideration of the grant and full relinquishment to the City of both said streets, called the Marginal and Second streets, by the said proprietors and abuttors, after they shall have been satisfactorily completed as aforesaid; but without assuming any responsibility whatever on the part of the said City, arising from adverse rights and conflicting claims among the abuttors themselves. (a)

Resolved; That the said sum of twenty thousand dollars is granted as aforesaid in further consideration, that the said proprietors of estates over which the proposed Marginal street is to be constructed, and claimants of sundry wharves and water rights in the Cove between Long wharf and Lewis wharf will unite with the City authorities, by such an agreement as shall be satisfactory to the Mayor and Aldermen, in laying out and establishing a Dock over the flats of said Cove, lying to the north T wharf so called, and east of the said Marginal street, and bounded as follows, to wit; the southerly line of said dock to form a continuation easterly of the northerly line of North Market street to the distance of four hundred and sixty five feet from the easterly end of the stores on said Market street; then turning and running southerly on a line parallel with the capsule of the City wharf, eighty feet; then turning and running easterly to the southerly side of the Old Gap where the northerly line of the T wharf intersects the old Barricado, so called and extending to the harbour channel; the northerly line of said Dock running parallel with the last described southerly line at the distance of two hundred fifteen feet from the eastern edge of the said Marginal street to the

Channel

channel; with the privilege to the said Proprietors and the City of running out into said Dock from the present City wharf & Marginal Street, a Marginal wharf of such dimension not exceeding forty feet in width as may be mutually agreed upon hereafter by the parties; all of said Marginal wharf north of the northerly line of the said Mill Creek to be the property of said Proprietors, and all of said wharf to the south, to be the property of the City: the whole according to the fountain lines of said dock laid down on the plan of Mr. Fuller referred to in the first Resolution.

The foregoing passed the Common Council. Came up for concurrence. Read and concurred, with the following amendment, at (a) insert. Provided, that the above sum of twenty thousand dollars shall not be paid until both of said docks shall be completed as above provided according to said plan, in every respect and satisfactory to the Mayor and Aldermen as aforesaid. Sent down for concurrence.

Came up concurred.

Jenks

The committee to whom was referred the petition of the Revd Dr. William Jenks, Secretary of the Boston Society for the religious and moral instruction of the Poor, requesting permission to use the School house on Washington street, for one of their Schools, respectfully report, That the room in the new School house is now occupied on Sundays in the manner requested by the Petitioner, and that from a subsequent communication to the Chairman of your committee, it appears that the mistake originated with the Petitioner in asking for a room in the new School house, when in fact the rest of the

School

School house in the street lately Nahant, now Common Street was wanted for the purpose set forth in said petition. Your committee therefore report, that as the School House in Common street is now unoccupied, that the Directors of said Society for the religious and moral instruction of the Poor, be permitted to occupy the same, for the purpose expressed in said petition, until the City Council shall otherwise determine. Per order of the Committee. D. Carney.

Read and accepted, with this proviso viz: Provided, that in no case shall the building be left in charge of any other person, than some responsible male teacher of the School, and that such teacher see to the building being securely closed in all seasons and particularly to its security from fires in the winter season, and that the key be always deposited with the usual keeper. (Sent down for concurrence. Came up Concurred.)

Welles Washington St.

The committee to whom was referred the subject of Arnold Welles' encroachment on Washington Street, - Report, that General Welles and Colonel Henry Sargent are the proprietors of a lot of land bounding one hundred and eighty four feet, on the westerly side of Washington street, and adjoining the Roxbury line; a common rail fence has heretofore stood upon the front bounds of said land, for more than forty years, which fence was removed by the proprietors about a year since and a new fence erected in its stead which encroached upon the street, from one to three feet in width as will appear by the annexed plan; so that about four hundred

Square

square feet of the street has been taken. Colonel Sargent the greatest proprietor of said land proposes that if the City will be at the expense of removing the fence they may place it in a line from the southerly corner of Mr. Aaron Willards garden running a little circular so as to conform to the bend of the street, to the front of Davis' house in Roxbury; this proposed line will throw into the street about four hundred feet of land in addition to what originally belonged there before the encroachment. Your committee are of opinion that this is a very fair proposition on the part of the proprietors, and that it will be a very desireable improvement, they therefore recommend that it be accepted, and that the fence be removed to the proposed line accordingly.

All which is respectfully submitted.

Daniel Carney
Francis Jackson

Read and accepted, and thereupon ordered, that the same be referred to the former Committee to have it executed, and the fence set back as proposed in their report.

The Health Commissioners communication enclosing the estimate of the Carpenter for building a fence on Rainsford Island, and the estimate of repairs on the building used for small pox subjects. Read and committed to the Quarantine committee to consider and report. Rainsford Island

Adjourned to Monday next, four o'clock P. M.

Monday July 3rd 1826.

Met according to adjournment.

Present. The whole board.

Printing. The committee appointed to examine the applications to do the printing for the City the year ensuing, reported that they have agreed with Messrs True and Greene for that purpose. Read and accepted.

Salaries The committee of conference on the part of this board, on the subject of the difference which exists between the two boards, on the subject of the Salaries of the City Clerk, and the Clerks of the Police Court, report, that they have met and considered the subjects of difference; and that the committee of the Common Council has agreed to recommend to that body to recede from their former vote, and to fix the salary of the City Clerks at fifteen hundred dollars, per annum; for the current year; and the committee of this board has agreed to recommend to the Mayor & Aldermen, to recede from their vote, and to agree, that the salary of the Clerks of the Police Court, be fixed at fourteen hundred dollars, per annum, for the current. Thomas Welsh Jr. Read and accepted, and ordered accordingly.

Smith Petition of Edward Smith and James Kirkwood, praying that the common sewer leading through Penchman's lane, and thence across Lynn street, may be taken up and rebuilt and the expense thereof abated according to law. Read and thereupon ordered, that all persons interested be notified to appear before this board on Monday next, four o'clock P.M. to object to the same, if they see cause.

Penchman Lane

Petition of Ammi Cutler, & others, praying that the common Sewer in Friend street, may be extended over the Mill Pond and the expense apposed according to law. Read and thereupon ordered; That all persons interested be notified to attend before this Board, on monday next, four o'clock P. M. and shew cause, if any they have, why the prayer thereof, should not be granted.

Cutler, Friend st.

Application of William Harris Jones, to be licensed to exhibit at Cornhill square, two paintings by Vanderlyn, viz: Ariadne and Caius Marius among the ruins of Carthage. Granted until the further order of the board.

Jones Paintings licensed.

The committee on the application of Frederick Tudor, for damages for land taken from him to widen Cornl Street beg leave to report that they have had frequent interviews with Mr. Tudor and have heard his counsel on that subject and have received a written communication from said Tudor, but they have not been able to agree on the damages and that they are of opinion, that there ought to be allowed to said Tudor, the sum of four dollars, for each square foot taken to widen Court street.

Thomas Welsh, Jun.
John F. Loring.

Tudor, Court Street.

Read and accepted.

Application of William Skinner, in behalf of the Society for the promotion of Manufactures & the Mechanic arts, relating to the use of the Chambers over the City market for the exhibition of products, manufactures and inventions and for the public sales. Read and

Skinner Soc: Promotion Mech: arts.

Committed

committed to Aldermen Bellows and Robbins, to consider and report.

Loring

Weigher of Boats &c.

The committee on the application of Caleb Loring, Junior, weigher of boats and lighters, that he may be authorized to weigh by the decimal hundred, reported, that the alteration is a wise measure, and that an alteration of the law be applied for accordingly. Read & accepted and referred to Alderman Welsh, to make application for an alteration of the law.

Cleveland

Petition of A. P. Cleveland, & others, praying, that the sale of ardent spirits may be prohibited on the Common, on Sabbath days, Read and committed to Aldermen Oliver and Jackson, to consider and report.

Abbot

Washington St.

Petition of Theodore Abbot, Jotham Clarke, George Bell, and Charles J. Fadlon, praying, that the subject of damages, sustained by the Petitioners in consequence of the cutting down part of the premises occupied by them to widen Washington street, be referred for adjustment. Read and committed to Aldermen Oliver and Jackson, to consider and report.

Field

Remonstrance of Joseph Field, & others, against the building of tombs in the burial ground on the Neck. Read and committed to the committee who have that subject under consideration, to consider & report.

Chimney Sweeper

William Harris was nominated & appointed a Chimney Sweeper.

Ordered, That the City Clerk give public notice that the Board of Aldermen will on Monday next, four o'clock P.M. grant renewal of Licenses to such Innholders, victuallers, retailers and confectioners as were licensed the last year, and against whom there has been no complaint of a violation of the license law. Licenses.

The committee on the petition of George Blake, for an extension of the common sewer in Bond Street, reported, that in their opinion the prayer cannot be; for the petitioner to apply for leave to enter the common sewer in Cross Street, at his own expense: Read & accepted. Blake Bond St.

The quarantine committee on the subject of constructing fence and making repairs on Rainsford Island, reported, that the estimate appears to be a reasonable one; as specified in the Health Commissioners letter, and that Mr. Hawes be employed for that purpose to do the work as therein specified, and that the Health Commissioner consult the Physician as to the same.

Read and accepted. Rainsford Island

Ordered, That the several owners of land taken to widen Merchants Row, be served with a copy of the record of taking the same. Merchants Row

Adjourned to Monday next four o'clock P.M.

Special meeting.

Wednesday July 5th 1826. Six o'Clock A. M.

Present The Mayor. Aldermen Bellows, Marshall, Welsh, Oliver and Loring.

John Adams Death

This board having received notice of the afflictive dispensation of Divine Providence, in the death of the Hon^ble John Adams, formerly President of the United States, which happened on the fourth day of July instant. Thereupon

Resolved, that Aldermen Bellows, Marshall, Welsh, Oliver and Loring, with such as the Common Council may join, be a committee to consider and adopt such measures as they may deem expedient to express the sense of the eminent worth and public services of the deceased, entertained by the Citizens of Boston, in common with their fellow citizens of the United States; and also their sorrow at this bereavement, which has debrived this State of one of its most honored and cherished sons, and the American Nation of a most ancient Patriot, and distinguished Statesman. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Mess^rs Lincoln, Grosvenor, Gray, Waters, Lodge, Hallet and Rice.

Resolved, that the Mayor be requested to call a meeting of the Common Council for a concurrence in the above vote, as soon after communication with the family of the deceased as may be deemed expedient.

Resolved, that on account of this melancholy event, the bells of the City be forthwith tolled one hour.

Adjourned to Thursday next four o'clock P. M.

Met according to adjournment.

Present. The whole board, except Alderman Robbins.

The joint committee who were charged to adopt such measures as they shall deem expedient to express the sense of the eminent worth and public services of the late Honorable John Adams, which is entertained by the Citizens of Boston, in common with their fellow citizens of the United States, in general, have attended to the duty assigned them, and ask leave to report, that in their opinion, it will be proper for the Mayor, Aldermen and Common Council accompanied by their Clerks, and the City Marshal, to attend the funeral of their distinguished fellow citizen; and they therefore recommend the following resolution. John Adams

Resolved, That the Mayor, Aldermen and Common Council accompanied by the Clerks of both branches of the City Council and the City Marshal will repair on Friday the seventh day of July, instant at half past one o'Clock P. M. to Quincy, there to attend the funeral of the late Honourable John Adams. Read & accepted. Sent down for concurrence. Came up concurred.

The Mayor and Aldermen direct the bells of the City to be tolled on to morrow, from four to five o'Clock, P. M. And they recommend that the owners & masters of the Shipping in the harbour cause their colours to be hoisted half mast, and the Citizens are requested to close their several places of business in the afternoon of said day, as a mark of respect for the deceased.

Lloyd
Common St.

Petition of the Hon. James Lloyd, praying that a committee may be appointed to ascertain the damage done to his estate in consequence of digging down Pemberton's hill; and taking part of his estate to widen Common Street. Read and committed to Alderman Welsh and Loring, to consider and report.

Greenough

Petition of David Greenough, praying remuneration of taxes paid by him, which was assessed upon the Province House estate, the same being the property of the General Hospital, and that measures be taken to prevent future similar exactions. In Common Council, read and committed to Messrs. Morey, Babbett and Barry, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred & Aldermen Loring and Robbins are joined.

Treasurer to borrow money.

Ordered, That the Treasurer be authorized to borrow, for the use of the City and in anticipation of the tax of the present year, a sum of money not exceeding seventy thousand dollars, at such times and on such terms and conditions as the committee of finance may approve, reimbursable during the present financial year.

Came up for concurrence.

Read & concurred.

Tuckerman
Merchants Row

Messrs. William and Gustavus Tuckerman's claim for the value of their estate taken to widen Merchants Row. Read and committed to the Mayor, Aldermen Bellows & Welsh, to consider and report.

appointing Messrs. Wardy, Peabody and Torrey with such as Orator
the Board of Aldermen might join a committee to present Thanks to &c.
the thanks of the City Council to the Hon.ble Josiah
Quincy, for the Oration delivered by him, at their request,
on the late anniversary of American Independence, and to
request a copy of it, for the press. Came up for con-
currence. Read and concurred, and Aldermen Bellows
and Oliver are joined.

Adjourned half past one o'Clock tomorrow.

Friday July 7th. 1826.

Met according to adjournment

Mr. Waters came up with a message from Funeral of
the Common Council to inform the Board of Aldermen, John Adams.
that the Council are ready to proceed to attend the
funeral obsequies of the Hon.ble John Adams.

Alderman Marshall was charged with a
message to inform the Common Council, that the Board of
Aldermen are ready to proceed, agreeable to the vote of the
City Council of yesterday.

Accordingly the two branches of the City Council
proceeded in Carriages to Quincy, & attended the funeral Ceremonies
of the late Honorable John Adams.

Adjourned to Monday next 4 o'clock P. M.

Special meeting.

Monday July 10th 1826. Six o'clk A. M.

Present The Mayor. Aldermen Bellows. Marshall. Wells. Oliver, and Loring.

The. Jefferson death

The death of the Hon.ble Thomas Jefferson, of Virginia, which happened on the fourth day of July instant, having been announced to this board.— Thereupon

Resolved, That the bells of the City be forthwith tolled one hour. And that the masters and owners of vessels in the harbour be requested to cause their flags to be hoisted at half mast on account of this melancholy event.

Adjourned to four o'clock this afternoon.

Afternoon.

Met according to adjournment

Present. The whole board.

This Council having received the melancholy information that the venerable Patriot Statesman Thomas Jefferson, as well as his co patriot the venerable John Adams, departed this life on the 4th instant.

Therefore Ordered, That the same members of the City Council, who have been appointed a committee "to consider and report the measures suitable to be adopted in order to express the sense entertained by the Inhabitants of this City, of the virtues, worth and public services of the Hon.ble John Adams" be a committee to report what measures it is proper the City Council should adopt expressive of the high sense entertained by the Inhabitants of this City, & of its government, of these venerated Statesmen, & of the important public services rendered by them, to our country. Came up for concurrence. Read & concurred.

The committee of the City Council to whom was referred the communication of the Mayor relative to the proposal of the committee of the trustees of the Washington Monument association touching the location of the statue of Washington, having taken that subject into consideration, respectfully recommend for the adoption of the City Council, the subjoined resolution, which is submitted. By order of the Committee. Josiah Quincy, Chairman. Washington Statue.

Resolved, That should the trustees of the Washington monument association after deliberation conclude that the center Hall of the second story of the new Market house, now erecting, in the vicinity of Faneuil Hall is, the most suitable place for locating the statue of Washington, the City Council allow it to be placed in that Hall; provided the terms and conditions shall be made mutually acceptable to the said trustees and the City Council. In Common Council read and passed with the following amendment viz:

Resolved, That in the opinion of the City Council a more suitable place than the Market house may be selected for the location of the statue of Washington; and that if such should be the opinion of those, whose province it is to decide, the City Council will so far as they can with propriety aid in selecting a more suitable place for the same. Came up for concurrence. Read and concurred.

Petition of William Howe, and others, praying that the sealer of weights and measures, account for all fees by him received, in the same way and manner as is done by the weigher of hay. Read and committed to Aldermen Oliver and Loring, to consider and report. Howe. Weights & measures.

Culler Second street

Petition of Charles Culler, Junior, and others, praying that Second street may be ~~widened~~ repaired. Read and committed to Aldermen Welsh and Loring, to consider and report.

Trott Winter street

Petition of George Trott, stating, that he has given a piece of land to widen Winter street, and praying, that the line may be continued through Mr. Whitwell's land, for the same purpose. Read and committed to Aldermen Welsh and Loring, to consider and report.

Wells Sumner St.

Petition of Samuel A. Wells, praying that the repairs which were begun in Sumner street the last year, be completed. Read and committed to Aldermen Welsh & Loring with authority to execute the same.

Tuckerman Merchants Row

The committee on the representation of W. & G. Tuckerman, for remuneration for land taken to widen Merchants Row — reported, that the sum of twenty thousand dollars be offered to them, in full for the whole of their estate and that on a satisfactory deed being executed to that effect that said sum be paid, or secured to them in a five per cent. stocks, at their election. Read and accepted.

Victuallers

Ordered, that the Watchmen report to the Mayor, the names of all victuallers whose shops shall be found open after ten o'clock at night.

Marsh

The Mayor reports, that Ephraim Marsh has received his note of seventeen hundred dollars, given by him to Elizabeth and Susan Inches, the City having become res-

ponsible

responsible for the same and secured the payment to said Elizabeth and Susan, said note was taken up & cancelled.

Petition of Joseph W. Dorr in behalf of John Shackford, praying that the action instituted against said Shackford may not be entered in Court, but that it may be dismissed upon his paying the costs which have already arisen, and giving bonds according to law, to secure the City and Commonwealth against the payment of any costs by reason of any foreigner which he brought into this Port, becoming paupers within the time prescribed by law, Read and thereupon ordered, that it is inexpedient to take any order upon the subject. Dorr Shackford

Petition of Amos Cotting, that the common sewer which runs from Creek square to the Mill Creek, be taken up and relaid, and the expense thereof apposed according to law. Read and thereupon ordered, that notice be given to all persons interested be notified to appear before this board, on Monday next, four o'clock P. M. and show cause, if any they have, why the prayer of said petition should not be granted, by publishing notice in the newspapers. Cotting Creek square

It appearing to this board, that notice has been given, agreeable to the order, passed at a meeting of this board on the petition of Ammi Cutter, & others, praying that the common sewer in Friend street be extended over the Mill pond lands. And now several persons appearing to object and after a full hearing, it is thereupon ordered, that the same be referred to the Mayor, and the committee of Cutter Friend st.

the

the district with instructions to cause the same to be done if they shall see fit. —

Tudor
Court street

The Mayor reports, that Mr. Nichols Counsel for Frederick Tudor Esq. has acceded to the proposition made by this board to him for land taken to widen Court street viz: to pay four dollars per square foot — Thereupon ordered, that the money be paid when a title to the same shall be made out to the satisfaction of the Mayor and Alderman Welsh.

Sohier
High street

Notice from William D. Sohier, stating that the estate on High street formerly Deacon Wrights is about to be built upon, and inquiring if any alteration is to be made in the line of said street. Read and committed to the Mayor and Alderman Bellows, to consider and report.

Ayers

Communication of William Ayers, offering to take a lease of the old Hook and Ladder house, for three years, and give thirty dollars per year, to be paid quarter yearly; or will take it for five years at forty dollars per year. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Leman

Petition of Ebenezer Leman, praying, that the board would view his life basket, a machine for saving lives and property at fires. Read and committed to the Mayor, to consider and report.

High street.

The board proceeded and viewed High street.

Adjourned to Monday next, four o'clock, P. M.

Wednesday, July 12. 1826.

Present. The Mayor. Aldermen Carney, Marshall, Welsh, Loring, Jackson and Robbins.

Ordered, That all persons who were licensed the last year as Innholders, victuallers, retailers and Confectioners, and against whom no complaint has been made, and who shall apply therefor, be licensed the present year. And where there is an objection, that the same be referred to the Mayor. Licenses.

Resolved, That the safety and convenience of the Inhabitants require, that High street should be widened, and the same is laid out and widened accordingly, viz.: Beginning at the southerly corner of the brick house, belonging to Dr. Aaron Dexter, occupied by K.D. Shepherd; then running in a line towards the southerly corner of the wooden house at the corner of Federal and High streets to the westerly line of the land belonging to said Dr. Dexter then running southerly feet and inches, to the present line of High street; thence running easterly on said present line of High street, to the point of beginning; taking from said Dexters land six hundred and forty two square feet into said High street, as marked on a plan taken by S. P. Fuller, dated March 12. 1825. High street

Ordered, That Dr. Dexter, or his Representative be allowed seven Shillings per square foot for said land.

The committee on the application of the Hon. James Lloyd, claiming compensation for damage done to his estate on Pemberton's hill, by taking land Lloyd Pemberton's hill Common street.

therefrom

Lloyd
Common street

Whereupon to widen Common street have attended to the duty assigned them and take leave to report. That in their opinion the land taken from Wm. Lloyd's estate for the purpose above mentioned, is of the value of two dollars for each square foot. Wm. Lloyd also claims an additional sum of seventeen hundred, seventy seven dollars, and ninety four cents, being for expenses incurred and paid by him for erecting stone walls, building fences, & other work rendered necessary by widening said street, all the bills for which have been laid before your committee, but on which they are not prepared to report. Thomas Welsh. Jr Chairman

Which report being read and considered, and this board being of opinion that the value added to Wm. Lloyd's estate resulting from the widening Common street by setting back the house of Dr. Shurtleff, and by removing the buildings on the land of Mr. Welsh, and by throwing the whole of said land into the street, to be more than an equivalent for the land so taken from him.

Thereupon, Ordered, that the amount of the bills for repairs, presented by Wm. Lloyd, be paid without further question, on his executing a receipt in full of all demands against the City.

Ordered, that if Wm. Lloyd do not accede to the preceding vote, that this board are ready to submit the said bills for repairs and the said demand for land taken, to referees mutually to be chosen, or to a judgment of a jury, at the election of Wm. Lloyd.

Adjourned to Monday next, four o'clock, P. M.

Special meeting.

Thursday July 13th. 1826.

Present The Mayor. Aldermen Carney, Bellows, Oliver and Jackson.

Petition of Jonathan Amory & others, stating that Riots had taken place in Broad street, and that it was apprehended that another would take place this evening, and praying that peace officers may be stationed in and about Broad street to quel the same. Read and thereupon ordered, that the Mayor be authorized to employ ten Constables for that purpose. Amory Broad St. Riots.

Communication was received from Samuel Hubbard, Esq. in behalf of James Lloyd, Esq. stating that he did not accede to the proposition of this board in relation to his land taken to widen Common street, and that he was ready to submit the same to the determination of referees to be agreed upon. Read and referred to the Mayor to consider and report. Lloyd

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Friday July 14th. 1826.

Present The whole board.

Whereas, it appears that a number of persons to this board unknown, riotously assembled on the nights of Tuesday, Wednesday, and Thursday last, past, & assaulted and injured several dwelling houses, and other buildings and committed violence on the persons of the Inhabitants thereof, and whereas this board have reason to apprehend, that similar Riots

outrages

outrages may be attempted. Thereupon ordered, that the sum of fifty dollars be and is hereby offered for the conviction of each and every person guilty of being concerned in either of the above riots or convicted of being guilty of any similar riotous combination or assemblage hereafter.

Ordered, that the above offer of reward be published in hand bills and distributed thro' the City.

Ordered, that the whole number of Constables and as many watchmen as can be spared be detailed under the direction of the Mayor, and stationed at such place or places in the City where there may be indication of riot.

Ordered, that the Sheriff of Suffolk be notified that the ordinary number of peace officers are in the opinion of this board, insufficient to protect the peace of the City under the circumstances which at present exist in it; and that this board is ready to appoint as many additional peace officers as may in his opinion be sufficient for that purpose. And that he be requested to have a body of citizens in readiness sufficient to quel any riot which may occur and that this board will indemnify Mr. Sumner for any actual expenses incurred in making the above requested arrangement.

Fireman Ward No. 12.

John H. Blake was nominated and appointed a fireman in Ward No. 12, in place of Wm. Bordelle resigned.

Green Street

Ordered, that the committee of the district record a statement of facts in relation to the land taken to widen Green street in front of the new Church building there.

Adjourned to Monday next four o'clock P. M.

Monday July 17th 1826.

Met according to adjournm.t

Present — The whole board.

Gentlemen of the City Council. Mayor's message

The present Special meeting of the City Council was called at the request of the Chairman of the Committee of both branches of the City Council, on the subject of the measures suitable to be adopted in order to express the sense entertained by the Inhabitants of Boston, of the virtues, worth, and distinguished services of those ancient Patriots John Adams and Thomas Jefferson. The report of that Committee, I have now the honor to submit for the consideration of the City Council. Josiah Quincy.

The joint committee who were charged to consider and report what measures it would be proper for the City Council to adopt, expressive of the respect entertained by this City for the eminent services of the late John Adams & Thomas Jefferson, have the honor to report That they view the almost simultaneous decease of these distinguished Statesmen, as a dispensation of Divine Providence which will be deeply felt by the whole American Nation. Adams & Jefferson

That these venerable champions of liberty should have commenced their political career at the same time; should have sustained the same important trusts, and high offices should have each contributed so essentially to the achieving of our Independence — should have lived to see their children's children realize the blessings of that Independence, which fifty years before they jointly risked their lives to

secure

secure to them — and should at last be summoned on the same day and almost at the same hour, to receive the reward of their virtue and patriotism — constitute a coincidence without parallel in the history of the world.

That either of these ancient men should have been spared to witness his Nation's Jubilee was not to be expected in the usual course of human events; but that both should attain to that felicitous moment, enjoying such a degree of health as not only to be conscious of their privilege, but to participate in the general exultation of that day, is an event which seems to mark the hand & special presence of that Being, by whose unerring wisdom we are governed, and by whose beneficence we are protected and sustained. — The lives of these great men have been no less distinguished, than their deaths are remarkable, and your committee are of the opinion that they ought to be commemorated by a Discourse delivered on this solemn and impressive occasion; — and they have reason to believe that if it was known to be the wish of his fellow citizens, an individual eminent for his talents and public services in whom the confidence and pride of this City are justly centered would be induced to undertake the performance of this honorable but delicate trust.

Your committee therefore recommend the adoption of the following resolutions. All which is respectfully submitted, for the committee. John Bellows, Chairman.

Resolved, that it is due to the eminent patriotism and distinguished public services of the late John Adams & Thomas Jefferson, that their lives and characters should be commemorated in a public Discourse.

Resolved,

Resolved, that it is the wish of the City Council, that the said Discourse should be delivered by the Hon. Daniel Webster, and the Mayor is hereby authorized and requested to invite that Gentleman, in the name and on behalf of the authorities of this City to pronounce the same; as early as his convenience will permit.

Resolved, that the Mayor Aldermen & Common Council will unite with their fellow Citizens in the solemn services of the day, to be appointed; and that the Citizens be requested to close their several places of business; and masters of vessels to display their colours at half mast, during the movement of the procession and performance of the exercises.

Ordered, that the committee who reported these Resolutions be a committee to make the necessary preparations for the reception of the audience in Faneuil Hall, or such other place as the Committee may designate; & to arrange the order of the procession, with authority to make such other arrangements as they shall deem suitable and proper for the occasion. Read and accepted, in the Common Council. Came up for concurrence.

Read and concurred.

Communication from Messrs W. & G. Tuckerman declaring their acceptance of twenty thousand dollars in five per cent Stock for their estate taken to widen Merchants' Row. Read and thereupon ordered, that the Mayor be authorized to issue the Stock accordingly. Tuckerman Merchants Row

Isaac P. Cary appointed a member of fire company No 4. Fireman Ward No 4

No 4.

Coles Camelcon

Application of Charles L. Coles, for a license to exhibit a live Camelcon. Read and the prayer thereof granted.

Noyes Seals

Application of Amos Noyes, for a license to exhibit two live Seals. Read and the prayer thereof granted, paying therefor one dollar.

Liberty Square Warehouse

Petition of the Liberty Square Ware house Company, praying Liberty to place at their own expense, two iron gates, to be kept open in the day time & closed in the night, at each end of a passage way leading from Liberty Square to Milk Street. Read & committed to Aldermen Bellows & Robbins, to consider & report.

Shaw, Leverett, Place Prospect Street

Petition of Lemuel Shaw, & others, praying that Leverett Place and Prospect street may be accepted. Read and committed to Aldermen Bellows & Robbins, to consider and report.

Pratt & McKenny New Street

Petition of Pratt & McKenny, praying that a new street leading from Castle street to Roxbury may be staked out and the lines ascertained. Read & committed to Aldermen Tearney & Jackson, to consider & report.

Sheriff's Riots

Communication of Charles P. Sumner, Esq. Sheriff of Suffolk, concerning the Riots in Broad & Merrimac streets, together with the names of the Constables & Officers employed by him, agreeable to the request of this Board, to be ready & assist in quelling any Riot, which might take place. Read & referred to the Mayor, with authority to cause them to be paid for their services.

Order of the Common Council directing the Treasurer of the City and County as soon as may be to contract with some one of the Banks within the City to receive of him such money on deposit, as he may receive, & he shall receive for taxes, such bank bills as are at the time current in the City and pay out on the drafts of the Treasurer or any other Agent of the City authorized to make such drafts, gold, silver or bills of the Boston banks only, for the term of one year, said contract to be on as favourable terms for the City as the contract made with the City bank the last year, and to be approved by the Committee of finance. Came up for concurrence. Read & concurred. Treasurer.

The committee of the Middle district represent that Mr. John Tucker in Bunchase street is entitled to one hundred and twenty six dollars, being two dollars & twenty five cents for each square foot so taken, said land has been thus estimated by reason of the shallowness of the lot solely. Read and accepted. Tucker Bunchase St.

Petition of William Wright, praying that the street at South Boston, called Broad way, may be opened to the house lately erected by him. Read and committed to the Mayor, Aldermen Oliver & Robbins, to consider & report. Wright Broad way

Communication of Samuel Hubbard, Esq. in behalf of James Lloyd, Esq. proposing sundry names as referees to determine the damages by him said to be sustained in consequence of widening Common street, & reducing Bowdoin's hill Lloyd Pemberton hill

275 bill. Read and thereupon ordered, that the subject matter be determined by three persons as referees, one to be chosen by Wm. Lloyd, one by the City, and the third by the two thus chosen, and that when Wm. Lloyd shall have selected his man, this board will choose on its part.

Cotting, Creek Square

It appearing to this board, that notice has been given on the petition of Amos Cotting, for liberty to take up and relay the common sewer in Creek square, and that the expense thereof be assessed according to law; agreeable to the order of this board. And no person appearing to object, it is thereupon ordered, that the prayer of said petition be granted and that the same be referred to the Mayor to see it executed.

United fire Co.

Petition of the United fire Society praying, that they may be recognized by the fire department, & permitted to pass the lines at any fire, according to the regulations adopted for that purpose: Read and thereupon ordered, that the prayer of said petition be granted; and that the Mayor certify the names of the company to the Chief Engineer.

Licenses

Ordered, that applications of persons for a renewal of their licenses as Innholders, Victuallers & Retailers, who are foreigners and not naturalized be referred to the Mayor.

Auctioneers

The following persons were nominated and appointed Auctioneers viz: Ebenezer Alexander, Henry P. Andrews, George Bond, John A. Bacon, James Bourquin, Timothy M. Baker, Stephen Brown,

Henry

Henry L. Billings, George G. Channing, Derastus Clap,
Samuel T. Coolidge, Charles D. Coolidge, Joseph L. Cunningham,
Daniel Durrell, William Dehon, George C. Deblois,
Thomas English, John Fairfield, Samuel Evelleth,
Silas Field, Timothy Hathaway, Francis C. Head,
Nathaniel M. Haywood, Caleb Hayward, Daniel Hersey,
David Hale, Thomas K. Jones, Ephraim Lock,
George Noble, John M. Parker, Benjamin Poor,
Frink Stretton, Benjamin Seaver, George Read,
~~John W. Parker~~, Joel Smith, John Tyler,
Benjamin Tucker, Samuel Whitwell, Jun. Francis Willey,
Ferdinand E. White, Henry White, Ephraim Whitney,
Charles Winslow, and Nathaniel H. Whitaker.

Surveyors of Lumber

Ordered, that the following persons be and hereby are appointed Surveyors of boards and other lumber, for the year ensuing viz:

William Ames,
Thomas Berry, Henry Blake, Warren Bowker,
Nathaniel Bradlee, Thomas Christy, William Clouston,
Noah Doggett, Moses Eayrs, Samuel Ellison,
William Green, Josiah Haskell, Rolun Hartshorn,
Eleazer Homer, John Howe, Peres Loring,
Oliver Mills, William Mills, Eliakim Richards,
Amasa G. Smith, Richard Thayer, Seth Thaxter,
Samuel Walton and Aaron Wallis.

Gillers of Fish

Also, that Benjamin Clarke Nath. Gillen & Howe, Charles Cook and Benjamin Luckis, be and hereby are appointed Gaulers of Dry fish.

Hogreeve

Also, that William Andrews, be and he is appointed Hogreeve, Hayward, & field driver.

Also

Sand Keepers. Also, that Samuel Phillips, and William Andrews, be Thereby are appointed Sand Keepers, the ensuing.

Sent down for concurrence.

Came up concurred.

Firemen Ward No. 5. George W. Bryant, and Nathaniel Hyde, Jnr. were nominated and appointed firemen of Ward No. 5.

Shimmin Manufactures &c. The committee to whom was referred the communication of William Shimmin, relating to the use of the Hall over the City Market. Report, That they have had a short interview with Mr. Shimmin and understand through him, that it is the wish of the "New England Society for the promotion and encouragement of Mechanic arts" to have a large public sale of Domestic goods only, in September and that the Society propose a public exhibition of Domestic manufactures and models of new inventions in October following. Your committee have presumed that the government of this City, as well as every individual inhabitant, has a deep interest in promoting these highly honorable and laudable views of the Society, and considering this as an experiment in which the interest of New England may be still deeper involved. We therefore recommend, that the entire loft over the said Market, or such portion of it as the Society may think necessary or convenient to them, be devoted to their use during the months of September and October, next, for the purposes aforesaid; free of all charges whatever, saving those which may accrue to the City, by reason of the said Hall's being thus occupied.

Respectfully submitted. J. Bellows, Chairman.

Treas

Read and accepted. Sent down for concurrence.
Came up concurred.

Gentlemen of the City Council. Mayor's Message

The advanced state of the New Market house, at the eastward of Faneuil Hall, makes it requisite that authority should be given to some public body or committee to lease the same, for at least one year, and to establish the principles upon which such lease should be made. I recommend the subject to your immediate attention. Josiah Quincy. New Market House.

Read and thereupon ordered, That the committee for the extension of Faneuil Hall Market, be authorized to lease, for one year, the lower floor and cellars of the New building, erected for a Market house, to the eastward of Faneuil Hall, upon such terms and conditions as may be thought by them most for the interest of the City.

Sent down for concurrence.
Came up concurred.

Petition of Jacob Homer, praying that a nuisance at South Boston, caused by the dirt carts depositing house offal &c. near his house, adjoining land of the House of Industry, may be removed. Homer South Boston.

Read and committed to the Mayor, to consider and report.

Adjourned to Monday next, four o'clock, P. M.

Monday July 24th 1826.

Met according to adjournment.

Present The whole board except Alderman Oliver.

Horses and Carriages

An ordinance for the regulation of horses and carriages, within the City of Boston. Came up for concurrence. Read and passed.

Constables

Ordered, That the City Clerk give public notice, that applications for the office of Constable will be received until Thursday next, four o'clock P. M. and any objection to the reappointment of the present incumbents or either of them, will be then considered.

Jurors

Ordered, that the subject of preparing a list of persons to serve on the juries of the several Courts be committed to the whole board, to consider and report.

Streets on the Neck

See ante pp. 85. 112th 156 also 1825. page 3rd See also 1834. p. 263

Ordered, That the plan of the streets on the neck, and the report of the committee of the City Council in relation thereto be recorded in the Register of deeds office.

Boston & Roxbury Mill Corpn.

The joint committee to whom was referred the memorial of the President and Directors of the Boston & Roxbury Mill Corporation, have given long and patient attention to the subject, and ask leave to report. — That in obedience to the instructions of the City government that the Committee should take legal advice they applied to Messrs Sullivan, Shaw & Hubbard, and stated the case to them, the written opinion of those gentlemen thereupon has been obtained

and

and is herewith presented. Before the appointment of this committee, the suits alluded to in the memorial were commenced. They are still pending, and will in due course be decided by the Supreme Judicial Court; a tribunal perhaps as wise and impartial as the parties would be likely to select. A submission therefore to a reference appears inexpedient. With the hope of an amicable adjustment, the committee offered to recommend, that a sea wall should be made somewhat within the line to which the property of the City unquestionably extends; and that all without it should be ceded to the memorialists, on condition that they should only use it as a basin to receive the water after passing the wheels of their mills. This would in the opinion of the committee, give them ample space for their receiving or empty basin; a hope was indulged that the offer would be accepted; and it probably would have been, had the memorialists aimed at nothing beyond procuring a receiving basin. The memorialists declined the proposition; but in return they proposed a line beginning five hundred feet west of Charles street, and running to a point six hundred feet from Washington street at the centre of Bridge street, and thence across the dike to Roxbury line; and that all without it should be given to them in fee. If their proposal were accepted they might at their pleasure improve any part or the whole of what should be so granted for a basin by converting it into streets and building grounds; such a change will probably never be quietly submitted to by the City. It appears to the committee unquestionably true, that the memorialists in their petitions to the Legislature and in their former applications to the town of Boston asked nothing beyond the right

to

281. to make avenues and mills, with their ordinary appendages.

Boston & Roxbury Mill Corp.

If in obtaining these privileges they meant incidentally to acquire a grant of some hundreds of acres of flats for the purpose of making building lots, their design was never made known to the Legislature or town; had it been disclosed the grant would have been refused. If such a project is now avowed, it ought to be promptly and boldly opposed by the City government. The committee are of opinion that no compromise can be made on just terms; They therefore recommend that these claims should be met by a decided resistance. And that all suitable measures should be adopted to define and protect the rights and interests of the City.

To enable the City Council the better to understand the state of the controversy; the committee ask leave briefly to ~~state~~ present a history of the case, with a few remarks thereon. On the 11th of June 1813, Isaac P Davis, & others, petitioned the town of Boston, for liberty to build a Mill dam and turnpike road from the bottom of Beacon street, & for other mill improvements. This petition was referred to a committee of one from each ward, and on the 12th of October 1813, they reported a proposition to approve of the plan of the petitioners: And that the town should cede to them the land and flats about the shores of the Bay, west of Boston neck, without a line beginning at a point four hundred & fifty feet west of Beacon street; thence running southerly to a point in the direction of the middle line of South Bennet street, five hundred and fifty feet from the west side of Orange street, and thence in various courses to Roxbury line. On condition, that the Corporation should within five years from the first day of January 1815, cause to be erected

in

in a direction to be prescribed by the Legislature, and not farther north or east than South Boston bridge, a firm & solid dam from Boston to South Boston, faced with stone on the northeasterly side at least, well calculated to endure and effectually to keep out the tide waters from the eastern basin, with gates, sluice ways &c proper to let the water out of said basin. That the said Corporation should in the same time erect in a point to be directed by the General Court a firm and solid dam from Beacon street with a road thereon, to Roxbury or Brookline, and that they should within five years from the first of January 1815. erect and employ mills with machinery of sufficient power to turn fourteen pair of common sized mill stones, upon sluice ways leading across Washington street. And in case the said Corporation should fail to perform either of the above conditions within the time aforesaid, the grant of the town was to be wholly void. The said report containing many other limitations & restrictions and provisions & the recovery of damages by persons injured by the Corporation was accepted at a town meeting on the 20th October 1813. — Afterwards on the 14th of June 1814. an act of the Legislature was obtained by Isaac P. Davis, and others, authorizing them to become a Corporation, and to erect a dam from Beacon street to Sewall's point in Brookline to form an empty or receiving basin on the northwesterly side of Boston neck; to build a dam from Boston to South Boston, not northerly or easterly of South Boston bridge, to make a full basin southeasterly of the Boston Neck; and by the act authority was given to the Corporation to cut any number of convenient raceways from the full to empty basin across the neck. But it was enacted, that the Corporation

Boston & Roxbury Mill Corp.

Should

Boston & Roxbury Mill Corpn

should have the benefit of the engagements of the town of Boston as expressed in their votes of July 11th and October 20th 1813. only on the terms and conditions expressed in the report of said committee of the town. By these proceedings the Corporation was authorized to make a full basin on one side of the Boston Neck and a receiving basin on the other side, and to use their mill powers or race ways cut across the neck. And what ever may be their view of the rights and powers incidentally or subordinately given as to intermediate Canals, dams &c. this Committee entertain the opinion that when the pretended grant of the town was made, and the Legislature act passed; neither the town nor the Legislature conceived that any thing was granted or asked for beyond the right of making roads, a full and empty basin with the necessary connections between them, and the establishment of mills, race ways &c. on the neck, the memorialists had avowed no other design; the petitions and remonstrances preliminary to the act, which were numerous and evinced great feeling, intimated no other design, and the reports and proceedings before committees which were deliberate, alluded to no other ulterior design. If the project of a land speculation was then cherished by the petitioners, it was carefully and successfully concealed. After the charter was granted, the work was commenced, On the first of January 1820. the conditions not having been complied with, the grants of the town of Boston, conditionally made; expired by their own limitation. On the 10th of May 1820. the citizens of Boston in a town meeting called for the purpose, on the application of the Agents of the Boston and Roxbury Mill Corporation voted, that they be allowed two years from the first of January 1820. to

Complete

complete their works, agreeably to the report of the committee made October 12. 1813. — As this extension was made on application of the Corporation, which asked for two years extension without any change of the terms or conditions of the grant, it is evident that the Corporation did not at that time contemplate, or if they contemplated, they did not avow a change of their project. It was still apparent, that in pursuance of the terms of the charter, the main project was to have the principal mills on the neck, and one basin on each side of it, and on condition of that being done the time was extended two years. — The works were completed without making any basin on the easterly side or resorting to the neck for the location of the race-ways and mills. Whether this was done in compliance with or in violation of the spirit of the charter, it is not now necessary to enquire; certain it is that the whole time limited elapsed away without either a substantial or formal compliance on the part of the Corporation with the conditions on which the pretended grant was made. On the first of January 1822, the extreme limit of the latest time granted by the town, the Corporation had not made a dam from Boston to South Boston; they had erected no mills, and made no race-ways, on the neck or upon Washington Street, nor had they in any place erected or employed mills with machinery of sufficient power to turn fourteen pair of common sized mill stones. — It appears therefore unquestionably clear, that after the first of January, 1822, there remained no possibility that the memorialists could hold or claim any property, interest or right by force of the doings or votes of the town of Boston. The character and standing of the proprietors of the Boston & Roxbury Mill Corp.ⁿ

Boston & Roxbury

Boston & Roxbury Mill Corpn

Roxbury Mill Corporation forbid the presumption that they could ask for more than they thought in justice might be claimed. And it is possible that some of the numerous documents in the case may have escaped the observation of this Committee, but they have endeavoured to examine the subject faithfully and impartially, and they cannot find in the whole series of petitions, remonstrances and grants that any further aims of the memorialists were avowed than to obtain roads & mill privileges. All reasonable facilities for these the Committee would recommend, if the memorialists would be content with them. But the grant of any thing in fee, or without limiting its uses to the purposes avowed in the petition, and stated in the charter appears to this Committee to be wholly inadmissible. Such a claim if now presented, appears to be founded on no legal or equitable consideration, and seems to be alike hostile to justice and the interest and essential rights of the City. — If the City are driven to the necessity of defending their rights at law, it will be useful more particularly to examine them and ascertain their extent. And it may be found that they are more ample than has been generally apprehended. — It is understood that the lines of Boston, Roxbury, Brookline and Cambridge meet each other, and cover the whole bay, so that no soil in the bay remains to be granted by the Legislature. If it be so, it may well be doubted, if the Legislature had any right or power over it, beyond that of taking it for public uses, when required, on making a fair compensation to the owners: or to regulate the use of it while it remained covered with water as a public river or common highway. While covered with navigable waters the public might have an interest, or an

Easement

easement on it as a public highway. But when by the operations of nature or the labours of man the waters are permanently excluded, it appears to the Committee that the soil must then become the exclusive property of the original grantees in absolute and unqualified fee. To what extent the rights of the City or those holding under them, in the existing state of things may be maintained, and how far it would be wise and justifiable to modify or relinquish those rights in favor of the memorialists are questions of serious importance to the present age and to posterity. The Committee cannot consistently with their duty to the public recommend a more favorable proposition to the memorialists than they have made; and as their views are not acceptable to the memorialists, there appears no alternative. It only remains for the City to assert and defend their rights.

All which is submitted. Daniel Carney, per order.

The foregoing report, read and accepted in the Common Council, and thereupon ordered that five hundred copies of the report and accompanying legal opinion be printed for the use of the City Council, and that the same be published in the newspapers printing the ordinances of the City. Came up for concurrence. Read, and the board concur with the Common Council in the acceptance of said report, and nonconcur in the rest of the order.

Petition of John Welles, and others, praying that a common sewer may be laid in Essex street, & the expense thereof assessed according to law. Read and thereupon ordered that all persons interested be notified to appear before this board on monday next, four o'Clock P. M. and shew cause

Welles
Essex st.

cause if any they have, why the prayer thereof should not be granted, by publishing notice in two or more newspapers printed in Boston.

Liberty Square Ware House

The committee on the application of the Liberty square ware house company, for liberty to erect two iron gates to be kept open in the day time, and closed in the night time at each end of a passage way leading from Liberty square to Milk street, reported; that the prayer of said petition be granted. Read and accepted, and thereupon ordered, that said gates be permitted to be erected according to the prayer of said petition, and remain until the further order of this board. —

Tuckerman Merchants Row & State street

Petition of Henry H. Tuckerman, proposing to settle with the City in relation to his land at the corner of Merchants Row and State street as follows viz: the City to give him the land remaining of G. & W. Tuckerman's lot, and quit claim the land taken from said Henry's back lot, and to give his bond payable on or before ten years, with interest annually, at five per cent: for three thousand dollars to be secured by mortgage. Read and the prayer thereof granted upon condition that said Henry make a circular corner to his store, to the satisfaction of the committee of the district.

Young Oliver St.

Petition of Alexander Young, in behalf of himself and others, praying that the agreement made with the Boston Manufacturing company to widen Oliver street may be carried into effect, and that said company may be prohibited from building so as to encroach on the corner of said street. Read & committed to Aldermen Bellows & Robbins, with authority to settle the question.

Petition of Frederick J. Gay, and others, praying, that Salem street (formerly Back street) near Richmond street, and between that and Prince street, may be widened. Read and committed to Aldermen Marshall and Oliver, to consider and report. Gay Salem street.

Order of the Common Council committing the Petition of Benjamin Sweetser for further compensation for land taken to open a street on to the Long Wharf, to Messrs Eveleth, Morey and Torrey, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and nonconcurred. Sweetser

Order of the Common Council directing the Committee appointed in relation to the authority of the Mayor and other officers in the suppression of Riots, to report at the next meeting of the City Council. Came up for concurrence. Read and concurred. Mayor's authority &c.

Letter from the Hon. Daniel Webster to the Mayor accepting the invitation of the City Council to deliver a Discourse in commemoration of the eminent patriotism and distinguished public services of the late John Adams and Thomas Jefferson. Read and sent down. Webster Discourse.

On the petition of the proprietors of Rowe's wharf and Foster's wharf. Ordered, that Thomas Welsh, Junior, Esq. be employed as Counsel to give a written opinion upon the title of the City, in and to the passage way near said wharves mentioned in said petition. Rowe & Foster Wharves.

Pratt & Mc Kenny. Streets

The committee for the Southern District who were directed to consider and report on the petition of Pratt and Mc Kenny, and state that conformable to an order of this board, directing all persons intending to erect any building within fifteen feet of any street, lane or alley, to give notice thereof to the Surveyors of highways. Messrs. Pratt and Mc Kenny have complied with that order; the committee believe it to be the duty of the Surveyors of highways to designate Suffolk, Middlesex, Worcester, Hampshire, Hampden, and Berkshire streets, by such meets and bounds on Castle street, and on the City's line at the new School house agreeable to A. D. Fuller's plan October 24th 1825. so as to prevent the further building on said streets. The committee would here state, that previous to the adoption of the said plan a considerable quantity of land had been sold & buildings erected; some of which projected into the streets; the committee recommend that Mr. Fuller be directed forthwith to lay out the above named streets, and have either stone or cedar posts at the corners of each of said streets, on Castle street and on the City's line near the new School house.

Daniel Carney, Per order.

Read and not accepted.

Trott Winter street

The committee on the petition of George Trott, praying, that Winter street may be widened near the corner on Common street, reported, that it is not expedient to take any further order on the subject.

Read and accepted.

Adjourned to Thursday next, four o'clock P. M.

Thursday July 27th 1826.

Met according to adjournment.

Present— The whole board.

Application of Benjamin N. Righter for a license to exhibit upwards of one hundred living rattle-snakes, in Cornhill Square. Read and granted, until the further order of this board, upon paying therefor one dollar per week. — Righter's Rattle Snakes.

Petition of "the associated fire engine and hydraulion company" praying, that their number may be increased to one hundred and thirty. Read and the prayer thereof granted. Engine & Hydraulion Co.

The committee reported, That Fredk. Tudor Esq. had delivered proper conveyances of the land taken from his estate to widen Court street; that the land taken is six hundred one and three quarters square feet, amounting to two thousand four hundred and seven dollars, being four dollars a square foot. That the money has been paid him for the same. Read and accepted. Tudor Court street.

The committee who were directed to remove the front of Samuel Hastings building, from the land taken by the Surveyors of highways to widen Washington street, report, that they have removed said fronts by cutting through from the Fayette hotel to Essex street, agreeable to the plan made by S. P. Fuller, on the 26th of May. The committee made a communication to Mr. Hastings advertising him, that the time drew near when the committee would proceed to remove the fronts of his buildings from the lands taken by the Surveyors to widen Hastings Washington Street.

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the street requesting to know if it was his wish to have the fronts closed up if not, to state where the committee should deposit the materials to be removed, requesting his written answer thereto. Wm. Hastings did not give either written or verbal answer. Respectfully submitted. D. Cannon.

Read and accepted.

Constables. The following persons were nominated & appointed Constables for the year ensuing, viz; James Pierce, Ebenezer Shute, George Robinson, Jason Braman, Thomas Holden, Elisha T. Glover, Horatio Bass, Josiah Baldwin, George Reed, Elisha Copeland, James Perkins, Thomas Wallace, John Penny, William Dinsmore, Asa Prouty, Michael Riley, Ebenezer Prescott, Mitchell Lincoln, Solomon B. Morse, Porter Clark, Jedidiah Sawtell, and Abraham Lansing.

Adams & Jefferson Dy. Marshals Ordered, that the committee of arrangements in relation to the solemnities in honor of the late Presidents Adams & Jefferson, select the names of as many persons to be appointed deputy marshals as may be deemed expedient for the second of August.

Battery St. Alderman Welsh reported an opinion as to the right of the City in and to a passage way extending from Battery street to the sea for the purpose of carrying a drain through the same or otherwise — That the City has a perfect right to continue the drain or common sewer through the Railway company's land to the salt water; and that said company are liable for damages occasioned by the interruption of said drain through its land. Read and committed to

Aldermen

Aldermen Marshall, Welch and Oliver; with authority to cause the drain to be opened, if no agreement can be made. 292.

Adjourned to Monday next 5 o'clock P. M.

Monday July 31st 1826.

Met according to adjournment.

Present The whole board.

It appearing to this board, that notice has been given agreeably to the order passed at the last meeting on the petition of John Welles, and others, that a common sewer may be laid in Essex street, and the expense thereof assessed according to law. And now no person appearing to object, the prayer of said petition is granted, and thereupon ordered, that the same be committed to the Mayor to carry the same into effect. Welles Essex street

Ordered, that Aldermen Bellows, Welch, Oliver, Loring and Robbins, be a committee to take into consideration the expediency of selling the land belonging to the County of Suffolk, situated between the New Court House, and Court street, with instructions to consider and report on the expediency or necessity of erecting a Court House on part of said land, for the accommodation of the City County, and those of the United States, and their officers, and what agreements can be made with the owners of the adjoining estates, for passage ways, and other easements; and in case said committee should be of opinion that the interest of the County requires that said land should be sold, that they report their opinion in what time and manner, and in what parcels it should be sold. County Lands.

293.

Tudor new street.

Petition of Frederick Tudor, praying, that a new street may be laid out from Cowel street, between his land and that of the County. Read and committed to the committee on County lands, to consider and report.

Harris.

Petition of Isaac Harris, that the drain from Henchman's lane may not be permitted to pass over his land near Lynn street, and protesting against the same. Read and thereupon ordered, that Thomas Welsh, Junr. Esq. be requested to give an opinion in writing as to the right of the City to carry said drain from Lynn street into the sea.

Passage way Congress to Kilby streets.

Ordered, that Thomas Welsh, Junior Esq. be requested to give an opinion in writing as to the title of the City in and to a passage way or street eighteen feet wide, leading from Congress to Kilby streets.

D. J. Marshals

The City Marshal reported the names of fifty ~~names~~ men appointed and sworn by him as deputy marshals to perform duty on Wednesday next. Viz:

Stavel Case,	Enoch Glover,	Luther Symmes,
Josiah Haskell,	Luke Jewett,	Stephens Grant,
Theodore Grant,	Robert Briggs,	Cyprus Babbit,
John Farmer,	Josiah Babcock,	James P. Gavett,
Nathaniel Hawes,	William B. Hawes,	George P. Sawyer,
Oliver Wheeler,	Caleb C. Cowley,	Augustus Grant,
Jonathan Wise,	Thomas Adams,	Thomas Carter,
Reuben H. Cheever,	William S. James,	Wyzeman C. Winn
Jesse Libby,	John Hanson,	Amos Pierce,
Samuel Edgeley,	Jeremiah Powell,	Nathl C. Carter,

Joshua

Joshua Kibby, William Johnson, Simon Jourdan,
Samuel L. Reynolds, Benjamin B. Hubbard, Alexander Mitchell,
Daniel Badger, George Reed Junior, Abel Gleason,
Charles Hyde, George Dealer, Elisha Williams
Paschal Bronsden, John Roberts, Eld Wyld,
Joel Whittemore, J. P. Eaton, John L. Davis,
Green Shethera, & Paul Adams. Which nomination
and appointment be and hereby are confirmed by this
board.

Communication of Alexander Young, relative to an alleged incroachment on Oliver street, at the corner near Mitchell's. Read and thereupon resolved that the whole board will meet in said street, tomorrows morning six o'clocks. Young, Oliver St.

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The committee of the northern district to whom was referred the letter of John Williams, have viewed the premises and have requested Mr. Fuller to make a plan of the lines & the names, and which they herewith submit. Your committee report, that the opportunity now presents of making an important public improvement, and that the same connects itself with certain prospective acts of the Selectmen many years since, all which time has transpired, and no act of private enterprize in the way of building has taken place until that now proposed by Mr. Williams. Your committee therefore recommend, that the board proceed to view the premises at an early day and take such order thereupon as it may see fit. All which is submitted, in behalf of the Committee. Williams Ann Street.

N. J. Oliver.

Read and thereupon resolved that the whole board will meet in Ann street near the North square, on thursday next

next, twelve o'clock M. for the purpose of considering the expediency or necessity of widening said Street.

Hunnewell Free bridge S. Boston.

The committee to whom was referred the petition of Jonathan Hunnewell, and others, requesting the City of Boston, to accept the Bridge, which they are about to erect, by the authority of an act of the Legislature passed on the fourth day of March, last, empowering them to build a bridge from or near Sea street in Boston, to the newly made land at South Boston, have attended to the subject, and report, that in their opinion, it is expedient, that the City should accept the Bridge, on the following conditions, to wit.

1. That said Boston Free Bridge, be built of good and proper materials, and in a thorough and workmanlike manner, and as required by the act of incorporation.

2. That said Boston Free Bridge, shall be erected in such place as the City Council shall designate or approve.

3. That when said Boston Free Bridge, shall have been erected in manner aforesaid, and in all respects conformably to said act of incorporation, that the City of Boston, shall keep it & its draws, in repair forever, keep it well lighted with lamps, & the draw or draws raised, when necessary, for the passage of vessels, and shall afford, all proper accommodation to vessels which may have occasion to pass said Bridge, by night or by day; and if any vessel shall be unreasonably delayed or hindered in passing said draw by the negligence of said City, or its agents or servants, that the said City shall be liable for the same, in the manner provided out in the third section of said act of incorporation.

4. That said City by accepting said Boston Free Bridge, shall not be responsible for any other act, or thing or in

any

any other manner than is herein expressed. —

Per order of the Committee. J. Bellows.

Read and accepted. Sent down for concurrence.

Adjourned to Six o'Clock tomorrow morning, to meet in Oliver street, near Milk Street.

Tuesday August 1st 1826.

Met according to adjournment.

Present The Mayor, Aldermen Bellows, Welsh and Oliver.

The Gentlemen present together with Mr. Fuller the Surveyor viewed Oliver street, and surveyed and run the line near Milk Street, a quorum not being present.

Oliver street.

Adjourned to Thursday next 12 o'Clock M. to meet in Arm Street, near the North square.

Wednesday August 2nd 1826.

The board assembled at the State House, and together with the Common Council, the President of the United States, the Governor, Lieutenant Governor and Council, and a large procession of Citizens, proceeded to Faneuil Hall, where an appropriate discourse was pronounced by the Hon: Daniel Webster, upon the lives and characters of John Adams & Thomas Jefferson, formerly Presidents of the United States and other exercises were performed suitable to the occasion.

Adams & Jefferson

Thursday August 3rd 1826.

Met according to adjournment.

Present The whole board, except the Mayor & Alderman Welsh.

The

207. The board proceeded to view Ann street near the north
Ann street. square, the land whereon John Williams is about erecting a
building, together with Mr. Fuller, the Surveyor.

Adjourned to half past nine o'Clock tomorrow morning.

Friday August 4th. 1826.

Met according to adjournment.

Present The whole board, except the Mayor & Alderman
Marshall.

President protem. Thomas Welsh, Junr. Esqr. was chosen Chairman, in
the absence of the Mayor.

Boston Manf. Co. Ordered, That the sum of five
hundred dollars be paid to the Boston Manufacturing company
for land taken to widen Oliver street according to the resolve
hereafter mentioned, and agreeable to a vote of this board passed
on the fourteenth day of June, last.

Oliver street Resolved, That the safety & convenience of the Inhabitants require, that Oliver street should be
widened, and the same is laid out and widened accordingly,
viz: beginning at a point on Milk street at the distance of
twenty ~~three~~ feet seven feet, nine and an half inches easterly
from the northeasterly corner from the hammered foundation
stone of the house on Milk street, at the westerly side of said
Oliver street, then running in a straight line to a point in
the northerly line of land of Aaron Bancroft at the distance
of twenty seven feet, nine and an half inches from the westerly
side of said Oliver street, measuring at right angles across the
street; - taking from the land of the Boston Manufacturing company
three hundred eighty nine feet as marked on a plan drawn by J. F. Fuller,
dated Aug. 1. 1826.

Petition of Ebenezer Smith, praying leave to dig a well in Salem street near its intersection with Stillman street, for the purpose of extending suction pipes into it, for the conveying water to the pipes now laid in Stillman street, and conveyed to the houses on the Mill pond Land. Read and committed to Aldermen Marshall and Oliver to consider and report. Smith's Salem st.

Petition of Long Wharf Corporation, praying that they may be permitted to make a gap in the north side of their wharf, in order to remedy the defect in the Wall, the same having bulged out, occasioned by the pressure of the earth. Read and committed to the committee on the extension of Faneuil Hall Market, to consider and report. Long Wh'f Corp'n.

Sent down for concurrence.

Came up concurred.

Adjourned to Monday next, four o'clock P. M.

Monday August 7th 1826.

Met according to adjournment.

Present. The whole board except Alderman Loring.

Petition of William Minot, and others, praying that the first volumns of the records in the Register of deeds office, may be copied, which from age and frequent use are so worn and defaced as to be almost illegible. Read and committed to Aldermen Welsh, Loring and Robbins to consider and report. Minot Reg. of deeds

The Mayor having communicated a letter to this board from the Hon. Samuel Hubbard Attorney to the Hon. Lloyd Pemberton hill

Hon.

Hon. James Lloyd, on the subject of the appointment of referees relative to the damages claimed by him, for injury done to his property by widening Common Street, and reducing Pemberton's hill; and stating it to be the desire of Mr. Lloyd, "that the referees should be persons out of the City," on the ground "that the Inhabitants of the City are parties in interest, in the depending question, and on the common principles of impartiality and justice, are not therefore so suitable to act as judges" Thereupon resolved, That this board see no reason for deviating in this case from the established course of proceedings on occasions of this kind;- that if it be admitted as a principle, that in all questions of land taken to widen streets, the Inhabitants of this great City are disqualified by interest from being referees, the consequence would be, that in every case, persons must be induced to become referees, residing in the Country, at a great additional expense, and also from their want of previous acquaintance with the state of the land taken, often incompetent judges of the injury received or the benefit done, to the particular estate by the operation of the Surveyors of highways. Besides this board cannot accede to any course of measures which shall imply, that the exceeding small interest a citizen may have in the result of any award would be capable of swaying the judgment of such men as this board, and the party whose land was taken might mutually select for a purpose of this kind. Resolved, that this board adhere to its former vote.

Webster

Resolved, that the thanks of the Mayor, Aldermen and Common Council be presented to the Hon. Daniel Webster, for the eloquent Discourse delivered by him in Faneuil Hall, by request of the City Council, in memory

of

of the late venerable John Adams and Thomas Jefferson, and that he be informed that it is the wish of the City Council that the same should be published.

Resolved, that seven thousand copies of the said Discourse be printed or otherwise procured for the use of the Citizens.

Resolved, that Messrs. Curtis, Watts, and Lodge with such as the Board of Aldermen might join, be a Committee to carry the foregoing resolves into effect. Came up for concurrence. Read and concurred. Aldermen Bellows and Marshall are joined.

Bowditch & Cummings & Washington stred.

The committee to whom was referred the petition of Bowditch and Cummings, and Tolman & Clarke praying to be compensated for the damages they sustained in consequence of the removal of part of their premises to widen Washington stred, Report, that in their opinion the petitioners have sustained no damages, other than that, of a partial interruption of their business for a few days, inasmuch as their premises are actually worth as much or more now, than they were before the widening of said stred, nor do they believe the petitioners would wish, or consent to have their Shops restored to their former appearance & dimensions even if it could be done without trouble and expense.

As it respects the interruption of their business your committee would state that they were authorized in case the owner requested it, and prepared to rebuild the fronts of their buildings immediately after their removal, had engaged materials, & as many efficient mechanics as could have been conveniently employed on the work; but the owner chose to

rebuild

rebuild them himself, but did not commence the same for some time after their removal; in consequence of which the petitioners were interrupted in their business, more than three times as long as was necessary. In the opinion of mechanics the same number of hands which your Committee employed to take down the fronts of said buildings would have rebuilt them in ten days. Your committee are of opinion that Messrs. Bowditch & Cummings' damages would not exceed three dollars per day; they therefore recommend that thirty dollars be paid them in full for the damages they sustained in consequence of the removal of part of their premises for the purpose of widening Washington street. Your committee are of opinion that the damages which Mr. Jotham Clarke sustained may be fairly estimated at five dollars per day; they therefore recommend that Mr. Clarke receive fifty dollars in full for damages he sustained in consequence of the removal of a part of his premises for the purpose of widening Washington street. Your committee would remark that in the execution of their orders for widening said street, they gave the petitioners every accommodation in their power. They were ordered to remove the fronts of said buildings on the first of June, and commenced accordingly; but at the urgent request of the petitioners who stated that it would be of great advantage to them to have the operation postponed until after Artillery election day, your committee complied with their request and delayed the execution of their order until the sixth of June. Which is respectfully submitted. D. Lancey — P. Jackson, committee of the Southern district. Read and accepted.

Citizens fire Society

Petition of the Citizens fire society to be admitted into the fire department. Read and accepted,

and

and thereupon ordered that the Mayor certify a list of the members to the Chief Engineer of the fire department. 302.

Ordered that no more Constables be appointed the present year; and that the City Clerk cause a list of Constables who have been appointed the present year to be published, and a notice to the public that they are chosen instead of those who were appointed the last year, and that no others are authorized to act in that office. Constables.

The committee on Neck lands present to the City Council the application of George Archbald to purchase a lot of land belonging to the City in the rear of the late Isaac Coe's estate and adjoining the lot occupied by the Franklin School house, containing about nine thousand feet, the committee recommend that said lot be sold at seventeen cents per square foot to said Archbald; ten per cent to be paid on delivery of the deed, the residue in ten years, to be secured by mortgage with such other conditions as may be satisfactory to the committee. per order D. Carney. Read and accepted. Sent down for concurrence. Archbald Neck lands

Came up concurred.

Ordered that the communication of John Frost master in the Mayhew School, relative to the delapidated state of that School house and praying that Repairs of the same may be made, be committed to Alderman Welsh & Oliver with such as the Common Council may join to consider & report. Sent down for concurrence. Came up concurred and the Common Council joined on its part Messrs Bassett, Dow & Howe. Frost Mayhew School.

Welsh's opinion Engine house Battery M. St.

Thomas Welsh Junior Esquire's opinion relative to the City's title to the land on which the Engine house on Battery March street was erected, in the year 1824; "That the way must be discontinued or the Engine house removed." Read and thereupon ordered, That the same be committed for the consideration of the whole board.

Marshals

Resolved, That the thanks of this board be given to those Gentlemen who officiated as Marshals on the second instant, the day which was set a part for the solemn performance of the funeral obsequies in memory of John Adams and Thomas Jefferson, former Presidents of the United States. —

Washington Statue.

Copy of the record and proceedings of the trustees of the Washington monument association, declaring their opinion that the best situation for the Statue of Washington is the ground on which the State House now stands and that in case the City government will permit, the trustees will engage to raise by subscription, thirty thousand dollars, and to erect on the ground on which said building now stands, an edifice to be approved of by the City Council for the reception of said Statue to the City of Boston. Read & committed to Aldermen Bellows, Oliver, Loring and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Peabody, Hatch, Hallet, Fenno, Hastings, James & Fisher.

Auctioneer

Joseph F. Bordman licensed as an Auctioneer.

Hooper

Petition of S. F. Hooper, Administratrix on the estate of Stephen Hooper, Esq. deceased, for an allowance of his account against the City for services rendered: Read and committed to the Mayor, Aldermen Welch, Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Morey, Adams, Wiley and Waters.

Boston News Letter & City Record.

The publisher of Bowen's Boston News Letter and City Record having presented to the Mayor and Aldermen the first volumn of said work from January to July 1826. Jerome V. C. Smith M.D. Editor, published by Abel Bowen

Resolved, That the thanks of this board be presented to the publisher, for said donation, and that said book be placed in the Library of the City.

Faneuil Hall Market — Vide Page 314.

Adjourned to Monday next, four o'clock P. M.

Monday August 14th 1826.

Met according to adjournment.

Present — The whole board, except Alderman Marshall.

County lands

Ordered, That the committee on County lands be authorized to agree to lay out a passage way leading from Leverett street southerly. The City to lay out not more than eighteen feet, and the owners of the other lands, such proportional part as may be deemed reasonable.

Passage thro'

Boston Mill Corp.

Ordered, That notice be given to the President and Directors of the Boston Mill Corporation, that the common sewer connected with the Prince street drain through the Mill Pond has not been laid in a manner satisfactory, or that has ever been approved by this board. And that in consequence great inconvenience and injury has been done to various estates communicating with said common sewer. And that relief must be without delay, extended. and that said notice be forthwith given to the said President of said Corporation by an attested copy of this vote.

Ordered, That the Mayor be requested forthwith to confer in conference with the President of the Boston Mill Corporation and inform him of the necessity of immediate attention to the preceding vote and in case of any delay or proceedings not being had to his satisfaction such as the exigency of the case requires, that he proceed forthwith to lay a common sewer, such as the case requires and notify the said President and Directors, that the City will look to them for the expense of such common sewer.

Licenses

Ordered, That the Mayor, & Aldermen Welsh, be a committee to consider and report upon the whole subject of licenses of Innholders, Victuallers, Retailers, Confectioners and ordered, That the City Marshal's communication upon the subject of licenses be committed to said Committee.

Schools

Com. of arrang.

Ordered, That Aldermen Bellows Welsh be a committee of arrangements, to procure a dinner at Faneuil Hall, on the day of the visitation of the Public

Schools

Schools on the twenty third day of the present month, and that the several Gentlemen who hold the several offices mentioned in the list herewith exhibited be invited to attend the exhibitions at the public schools, and to dine at Faneuil Hall.

Gunhouse Fort hill

Ordered, That Aldermen Bellows and Jackson be a committee to ascertain and report if any encroachments have been made upon lands granted by the late town of Boston for the erection of the Gun house on Fort-hill.

Jones Battle of Waterloo.

Application of William Harris Jones to be licensed to exhibit at the Circus, Washington Gardens, the Panorama of the "Battle of Waterloo" for two weeks. Read and the prayer thereof granted.

Notes &c form of

Order of the Common Council appointing Messrs. Gray, Baldwin and William Parker, with such as the board of Aldermen might join, a committee to consider in what form bills notes and certificates of stock ought to be executed with liberty to report by ordinance or otherwise. Came up for concurrence. Read and concurred, and the Mayor and Alderman Welsh are joined.

Abbot Bell. Dudley Washington st

The committee to whom was referred the petition of Theodore Abbot, George Bell and Charles P. Dudley, praying to be compensated for damages sustained by them in consequence of the removal of a part of their premises for the purpose of widening Washington street. Report, That the petitioners were tenants at will and of course liable to be turned away at any time upon reasonable notice, upon which committee were ordered by this board to widen said street,

on

Abbot &
Washington &c.

on the tenth of April last, and the petitioners were notified accordingly. Whereupon they complained that their notice was short, and requested that it might be delayed and the board so far granted their request as to postpone said widening from the tenth of April to the first of June; on which day the said order of this board was executed by your committee who were authorized (in case the owner requested it) to repair the premises immediately, and were accordingly prepared with materials, and as many mechanics as could conveniently be employed on the work; but the said owner would neither permit the city to repair the damages nor do it himself, & after keeping his tenants (the petitioners) exposed for a long time suffering unnecessary damages and finally took their shops down altogether, and left them to shift for themselves, after requesting and urging them day after day not to remove for the city would never dare to cut through their premises; the petitioners therefore in consequence of neglecting the notice of the city & relying upon the declarations of their landlord have suffered considerable from this very extraordinary and unaccountable management. Your committee regret exceedingly that so much needless and unnecessary trouble was thrown upon the petitioners; but it was not in their power to prevent it; the city cannot therefore be answerable for damages of this description. Your committee are however of opinion; that the petitioners ought to receive something from the city; they therefore recommend; that Theodore Abbot be paid one hundred dollars; George Bell, eighty dollars and Charles L. Sadler, fifty dollars in full for damages sustained by them in consequence of the removal of the fronts of their shops for the purpose of widening Washington street. Respectfully submitted. Daniel Carman, Francis Eatkson. Read & accepted

Petition of the Engine company No 4, praying that they may have a new Engine house and a different location from the present one. Read & committed to the committee on the fire department to consider and report. Engine No 11.

The referees appointed to determine the amount of damages sustained by Millman Willis, David Ellis and John D. Brainard; tenants of estate belonging to Peter C. Brooks, Esq. on the corner of Washington and Court streets, in consequence of taking down said building to widen Court street, reported that the City pay to said Willis, seven hundred and fifty dollars; and to said Brainard three hundred dollars, and to said Ellis, two hundred and fifty dollars. Cost of reference fifty dollars to be paid by the City. Read and accepted. Willis & Court street.

Ordered, That all persons whose estates bound on Charles street, westwardly of the estate of the Asylum for indigent boys, be notified to appear, if they see fit, and show cause, if any they have, why a common sewer should not be laid in said street to Lynn street, and the cost of the same be assessed upon all those who shall be benefitted thereby, to appear before this board on Monday the 28th instant, at four o'clock P. M. Charles street

The committee on the petition of Miss A. & S. Reed, reported that the building of said Reeds be set back on a line with the wall of John F. Sherman which is about four feet back from the former line of said Reeds and carry this depth through his line Reed Ann street.

on

on Ann Street, and which will be taking it, according to J. P. Fuller's Survey, about two hundred square feet of land. Read and accepted, and thereupon ordered, that the committee of the district carry the same into effect, & report the value of the land.

Alert fire Co.

Petition of the Alert fire society to be recognized, and considered as part of the fire department. Read and the prayer thereof granted, and that the Mayor be requested to certify the same to the Chief Engineer.

Penniman Washington Street.

Petition of Elisha Penniman stating, that he has complied on his part with the contract entered into with the board of Aldermen respecting the cutting down his store No. 169 Washington Street, & rebuilding the same, and requesting payment of the stipulated compensation. Read and committed to the former committee on that subject, to consider and report.

Derne Street

Communication from the City Marshall, giving notice that several persons have notified him of their intention to build. Read and thereupon resolved, that the whole board will meet in Derne Street, tomorrow at three o'clock P. M. for the purpose of considering the expediency or necessity of widening that Street, from the corner of Temple Street. And that E. K. Hulbert or other owner of the estate bounding on said Street affected by such widening be notified then and there to attend, and object to the same, if he or they see cause.

Auctioneer

Edmund Parsons, licensed as an Auctioneer.

Ordered, That Samuel Guild, be noti- Guild
fied to appear before this board on Monday next, four o'clock
P. M. and shew cause if any he has, why his license
as a victualler should not be revoked; he said Guild
having been guilty, as it is alleged, of a breach of the
license law.

Adjourned to Monday next four o'clock P. M.

Monday August 21st 1826.

Met according to adjournment

Present. The whole board except Aldermen Oliver and Robbins.

Resolve of the Common Council ap- Children
proving the plan proposed by the School committee in their unqualified for
report of the twenty third day of May last for providing Public Schools.
means of instruction for a class of children excluded by age
or ignorance from admission into any of the public schools.
came up for concurrence. Read and concurred.

Ordered, That the subject of a drain Railway
or common sewer through land belonging to the Rail way Co.
Company or land called the North Battery, be referred to
the Mayor and Aldermen Welsh, to consider and report.

Petition of Thomas Badger, and others, Badger
complaining that great damage has been done to them in Prince St.
consequence of the stopping their drains by the operations of drain.
the Boston Mill Corporation, in filling up the Mill Pond;
and praying, that some remedy may be devised to obviate

the

311. the evil complained of. Read and committed to Aldermen Welsh, Loring, Oliver and Robbins, to consider and report.

Firemen Ward 7. Petition of the firemen of Ward No. 7, praying, that their duty at fires may be defined. Read & committed to the committee on the fire department, to consider and report.

Firemen Ward 12. Petition of the firemen of Ward No. 12, praying, that they may be allowed caps. Read and committed to the committee on the fire department, to consider and report.

Brewer & High St. Petition of Thomas Brewer, for compensation for land taken to widen High Street. Read and committed to Aldermen Bellows and Robbins, to consider & report.

Sharp vs. Lansing. Complaint of Richard Sharp against Alex Lansing, a constable, for malfeasance in his office. Read and discussion ordered; that said Lansing be summoned to appear before this board, on Monday next, four o'clock P. M. to answer to the same.

Carleton Complaint of Jonathan Carleton against Richard Potter's exhibition at Concert Hall. Read and committed to the Mayor to consider and report.

Portland Street. The committee appointed to examine Portland Street, report, that it is inexpedient to raise said street; but it will be necessary to repair the drain, & make it sufficient to carry off the water of the street as well as the water of the cellars, of the neighbouring estates. The committee therefore recommend, that the said drain be repaired,

under

under the direction of Wm Patterson, and that the expenses be paid one half by the City, and the other portion by the individuals benefitted. Read and accepted, upon condition that the individuals shall agree in writing to pay one half of the expenses as aforesaid, and that it be referred to the Mayor to see it executed.

Alexander funeral undertaker

Oliver B. Alexander, Sexton of Saint Paul's Church nominated and appointed a funeral undertaker

Funeral cars

The superintendent of burial grounds application relative to keeping the funeral cars in order. Read, and committed to Aldermen Marshall and Loring to consider and report.

Brewster

John King Brewster's indenture of apprenticeship to John E. Scarlett a licensed Chimney sweeper; approved by the board.

Tuckerman State St. &c.

Henry H. Tuckerman's petition to be permitted to construct arches under the side walks on State Street two arches, and on Merchants Row one arch; for coal. Read and the prayer thereof granted upon payment of the usual fees.

Littlefield Essex & Shad sts.

Calvin A. Littlefield's notice that he is about building on Essex and Shad Streets. Read and committed to Aldermen Carney and Jackson to consider and report.

Washington Street

Ordered, that the committee of the Southern district take into consideration and report upon the subject, what work have been placed on land while the City purchased of the heirs of William Brown, Esq. deceased, in Washington Street.

Guild. Samuel Guild, a licensed victualler having been duly notified appeared before this board, and after a full hearing, it is thereupon ordered, that the license granted to said Guild, be and hereby is revoked, for a violation of the terms thereof.

Dorchester Street. Ordered, that the committee of the south ern district be authorized to repair Dorchester street at South Boston, at an expense not exceeding twenty five dollars.

Derne. Resolved, that the safety and convenience of the Inhabitants require, that Derne street should be widened; and the same is laid out and widened accordingly viz: Beginning at a point at the southwesterly corner of a block of two brick houses belonging to the heirs of the late Samuel Parkman, Esquire, deceased, and running west erly on a line in continuation of the front of said houses fifty two feet, one inch to Temple street; thence running southerly on said Temple street one foot, eleven inches to the present line of Derne; thence easterly by said line of said street, fifty two feet one inch to the place of beginning, taking from the land of Truman R. Hulbert and Charles Ayer, one hundred and twenty seven square feet of land viz: from said Hulbert forty nine and seven eighths square feet; and from said Ayer, seventy seven and one eighth square feet.

Parsons. Edmund Parsons auctioneer bond, appeared and transmitted to the State Treasurer.

Adjourned to Monday next, four o'clock P. M.

Thursday August 24th 1826.

Present The whole board, except Alderman Oliver.

Merchants Row,

Resolved, That the Surveyors of High ways will revise Merchants Row, to the line of David M. Bradlee's estate, so as to include the whole of Thomas L. Winthrop's estate; and extend the line from said Bradlee's estate until it meets the late settled line of Merchants Row, at the northerly side of Samuel Downer's estate, where the same is fifty feet wide: Provided, the land cut off by the new line from Whitings and Bordman's estates, shall be quit claimed to the City without expense.

Downer & Baldwin

Petition of Downer and Baldwin, praying for remuneration for land and damage to them in consequence of taking a part of their land and store to widen Merchants Row.

Faneuil Hall Market.

The Mayor in conformity with the order of the board of Aldermen requesting him to lay before the City Council a statement of the obligations of the City resulting from the donation of Peter Faneuil, Esq. in 1741, and from the votes passed by the town of Boston, in reference to that respectfully reports, That it appears from the records of the town of Boston, that the question concerning the expediency of establishing a Market in Boston had been for seven or eight years antecedent to 1741, a subject of great contention and excitement among the Inhabitants of the town, that the question, "whether the town would have a market or not" was decided in May 1738, by a majority of only twenty five votes.

NB. This should have been recorded ante page 307, under date of Aug. 7th but was omitted thro' mistake, it having passed that day.

315. 364 voting by ballot, in the affirmative and 339 voting
Faneuil Hall by ballot in the negative (Vol. 3. town records p. 491) That in
Market. June of the same year, the report of the committee on the
subject of a market was rejected by a like majority, voting
by ballot 390 voting in the affirmative and 413, in the
negative (Town records V. 3. p. 531) That in April 1734, the
votes whereby a North and South Market had been established
were rescinded by a full vote. The market on the dock
being left unaffected by that vote, the building was pulled
down by a mob (town records V. 3. p. 268), and the town
remained afterwards without any market house until 1740.
That in this year Peter Faneuil, Esq. offered to build "on
the town's ground, on the town dock, called Dock square, at
his own proper cost and charge a noble and complete stone
ware or edifice; to be improved, for a market, for the sole use
benefit and advantage of the town, - Provided that the town
would grant a vote for that purpose and lay the same under
such proper regulations, as shall be thought necessary and
constantly support it for said use." It appears that so
obnoxious was the measure of establishing a Market, that
this offer of Peter Faneuil, Esq. was accepted only by a
majority of seven votes 367 being in the affirmative, & 360
in the negative (Town records V. 3. p. 424 & 426). In 1742,
the building proposed by Mr. Faneuil was erected, being called
in the vote of this date "a noble structure, far exceeding his
first proposal, inasmuch as it contains, not only a large &
sufficient accommodation for a market place, but has also
superadded a spacious and most beautiful town hall over it,
and several other convenient rooms which may prove very bene-
ficial to the town, for offices and otherwise." This building thus

erected

erected on the town's land by Mr. Faneuil under those circum- Faneuil Hall
stances, having been in the night of the 14th of January 1761, Market.
destroyed by fire, was afterwards rebuilt by the town; and in
the year 1805, was enlarged at the expence of the town to its
present size, being more than double its ancient dimensions.

From this statement of facts, it appears that the building erected by Peter Faneuil, Esq. was on the town's land, that so long as the building remained, it was supported for the use of a Market, according to the terms of the original vote of the town. That after it was destroyed in 1761, the town deemed the whole subject of the land on which it was built to be under their control, and accordingly voted, "that the lower part shall not be improved as a Market until the further order and determination of the town (Records V. 4. p. 479). —

That no obligation rests upon the town in consequence of their vote above stated, accepting the donation of Peter Faneuil Esq. which can possibly affect any use of that part of the land, covered by the present building called Faneuil Hall, which was originally covered by the building erected by Peter Faneuil, Esq.

The great object of Peter Faneuil, Esq. was to locate a Market in the vicinity of the town docks. For this purpose his donation seems to have been made, and it seems to be due to his memory and to the generosity, which distinguished his original donation, that the Market established in that vicinity should be known by the name of "Faneuil Hall Market." and that the name of the building called Faneuil Hall shall continue appropriated to that building; This name was given to that building in 1742 - and it appears only to be necessary that it should be declared by the City Council that the Market established in the new building recently erected to

the

317. the eastward of Faneuil Hall shall be known by the name of Faneuil Hall Market, and that a vote similar to that passed in 1761. be also now passed by the City Council.

All which is respectfully submitted. Josiah Quincy, Mayor.

Read and thereupon resolved, That as soon as the New Market house, to the eastward of Faneuil Hall shall be finished, and ready for occupation the Mayor and Aldermen be authorized and empowered to cause a market to be opened therein to be known and called by the name of the Faneuil Hall Market.

Resolved, That as soon as the said Market be opened, the lower part of the building called Faneuil Hall, shall no longer be improved as a market until the further order and determination of the City Council, and that the Mayor and Aldermen be and hereby are authorized to cause all the stalls in the lower floor of said Faneuil Hall, and all the buildings to the northward and eastward of Faneuil Hall, occupied as stalls to be taken down and to pass such orders limiting Faneuil Hall Market to the streets called North and South Market streets, and the building recently erected thereon as they may deem expedient.

Sent down for concurrence. Came up concurred.

Faneuil Hall Market

Order of the Common Council directing that when the New Market house shall be finished and ready for occupation, the Mayor and Aldermen shall be authorized and empowered to declare the further use of Faneuil Hall as a Market House to be discontinued" The foregoing referred in the Common Council to the committee on the extension of Faneuil Hall Market to consider and report. Came up for concurrence. Read

and

and nonconcurred, and thereupon ordered, that the Mayor be requested to lay before the City Council, a statement of the obligation of the City resulting from the donation of Peter Faneuil Esq. and the votes passed by the town of Boston, in reference to that donation.

N.B. This should have been recorded immediately preceding the foregoing report.

An order for altering the limits of Faneuil Hall Market, and regulating the same.

Faneuil Hall Market regulations.

Sec. 1. It is hereby ordered, that from and after the twenty eighth day of August, instant, the limits of Faneuil Hall market shall, until the further order of this board or the City Council, be deemed and taken to be the lower floor and porches of the New Faneuil Hall Market, and the streets called North Market street, and South Market street,—

Sec. 2. That all the powers, privileges and restrictions, which were applicable by any former order, to and to be exercised in Faneuil Hall Market, according to its ancient limits, shall be deemed and taken hereafter as applicable to and to be exercised in Faneuil Hall Market, according to the limit specified in the preceding section.—

Sec. 3. That Dock square, the Square between Ann street, Elm street, and the Market, Elm street, Ann street, Union street, Braddle street, Market street and Exchange street, be no longer considered as part of, or included in Faneuil Hall Market, and that no wagon, cart, or other carriage shall be permitted to stand in any of the above mentioned streets, and squares for the purposes of sale of provisions or other articles; and that all stands in any of said streets or squares for the said purposes, be and the same hereby are prohibited.

Salem Street Common Sewer

An appointment to defray the expence of constructing a piece of common sewer in Salem Street amounting to one hundred and fifty nine dollars. Read and passed, and thereupon ordered, that the money be collected of the several individuals and Corporations as therein specified.

Brookes's fund

Ordered, that Aldermen Bellows, Welsh and Loring, be a committee upon the subject of Jedidiah Leathe's bond and mortgage due Joanna Brookes's fund.

Foster

Petition of William Foster, complaining of a nuisance which he suffers in a building at the corner of Broad and Purchase streets, occasioned by a defect in a down way, leading from Purchase Street to Fort hill. Read and thereupon ordered, that it is inexpedient to take any order upon the subject as this board is of opinion that the way complained of is a private way.

Faneuil Hall Market

Ordered, that the Clerk of Faneuil Hall Market cause all the stalls and wooden buildings, except the Engine house in and about Faneuil Hall Market to be sold at public auction the same to be taken down and removed within three days after the sale

Court room alterations

Petition of the committee of the bar of Suffolk, praying, that the Supreme Court room may be altered according to a plan exhibited made by Alex: Parris. Read & thereupon ordered, that the prayer of said Petition be granted under the direction of the Committee on Court affairs.

Adjourned to Monday next 4 o'Clock P. M.

Met according to adjournment.

Present— The whole board.

Order of the Common Council committing the Petition of the Directors of the House of Industry, praying for an additional appropriation for the completion of the house called the Porter's Lodge, to Messrs Dove Fisher and Adams, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence, Aldermen Oliver and Jackson are joined. House of Industry.

Petition of W. O. B. Brown, praying that the Common sewer in Myrtle street may be taken up & relaid. Read and committed to Aldermen Welsh & Loring, to consider and report. Brown Myrtle St.

Petition of George Revere, praying leave to erect a baker's oven in a house in Poplar street, near Spring street. Read and committed to Aldermen Welsh and Loring, with authority to grant the same if they see fit. Revere

Petition of William Foster, for compensation for land taken in the year 1824, to widen Broad street, near Purchase street. Read and committed to Aldermen Fellows and Robbins, with authority to make the Petitioner an offer for said land, so taken. Foster Broad street.

Communication from Jonathan Phillips Esq. stating his wish that Merchants Row, be widened according to the last vote of this board by taking all Thomas C. Winthrop Esq.'s land up to David W. Bradlee's line, and he said Phillips Phillips Merchants Row.

agrees

agrees to save the City harmless from all claims for land taken in consequence of this new cutting through said Hollicks land, and William Bordman's land, it being understood that the new line is to run from said Bradlee's south east corner to Downer and Baldwin's northwest corner. Read & accepted and ordered accordingly.

Lord
State st.

Petition of Thomas Lord, and others, that they may be permitted to erect arches under the side walks in State street. Read and the prayer thereof granted upon the usual terms.

Littlefield
Essex & Short streets.

The committee upon the petition of Calvin A. Littlefield, reported, that in their opinion it is not necessary to make any alteration in Essex and Short streets, on which the premises of the petitioner is bounded. The committee are of opinion that buildings belonging to the Glass factory are from two to three feet on Short street. Read & accepted.

Foster
Fosters wharf

Ordered, that Aldermen Bellows, Welsh, Loring and Robbins, be a committee with full power to adjust the whole subject of the Engine house on the highway, whereon William Foster and others stand near Fosters wharf.

Fire departm.

Ordered, that all communications relative to the fire department come to this board through the hands of the Chief Engineer of said department.

Charles street

It appearing to this board, that the abutters on Charles street west of the Asylum for indigent boys have been duly notified to appear at this time and show cause if any they have why a common sewer should not be laid to

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Lynn street, and no person appearing to object it is thereupon ordered, That Wm. Patterson cause the same to be done under the direction of the Committee of the District and the assessment made thereof according to law.

The Mayor reports, That he has settled with James Lloyd, Esq. for land taken to widen Common street and reducing Pemberton's hill, and That he has received seventeen hundred and seventy four dollars and ninety four cents, in full, agreeable to a vote of this board. Lloyd Pemberton hill

On the petition of Jonathan Carleton the Mayor reports, That it is expedient not to renew Potter's license to exhibit at Concert Hall, without further restrictions. Read and accepted. Carleton Potter.

The committee of the trustees of the Franklin fund appointed to examine the accounts of William Minot Esquire, Treasurer, reported, That they have examined the accounts and vouchers and find the same correct, amounting to eleven thousand, three hundred forty two dollars and thirty cents. Franklin fund

Ordered, That the City Clerk be authorized to subscribe for the Stock, which he is entitled to subscribe for in the Suffolk bank, as Treasurer of the Smith fund. Smith fund

Adjourned to Monday the eleventh day of September next, four o'clock P. M.

Monday September 11th. 1826.

Met according to adjournment.

Present. The whole board.

Mercantile Wh. Corp.

Petition of the Merchandil Wharf Corporation stating, that difficulties of a serious nature exist as to the completion of Second street pursuant to the resolves of the City Council, and praying, that the condition of the grant may be so far varied, that they may be required to make & complete said street only as far northeasterly as the wharf of R.G. Shaw, Esq. and that the two streets may be laid out, made and completed in such direction, of such width and in such manner as the Surveyors of highways shall deem expedient and approve. In Common Council, read and committed to Messrs. James. Lodge, Grosvenor, Tracy and Brimmer, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Phillips, Loring, Jackson and Robbins are joined.

Faneuil Hall Market.

Gentlemen of the City Council.

Mayor's message

The removal of the tenants of the old market house under Faneuil Hall, renders it proper that a determination shall be had concerning the purposes to which the rooms thus vacated shall be applied, and the manner in which they can be best used for the interest of the City. I recommend, therefore, to your attention to this subject. Josiah Quincy.

Read and committed to the Mayor, Aldermen Welch, Phillips, Loring, and Robbins with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on

its

its Supl Messrs Isaac Parker, Dorr, Lodge, Clark, Eveleth, Tracy and Bent.

Petition of John Stevens, Samuel Norwood, and Henry Bass, three of the assessors submitting the question whether their salaries should not commence on the 1st day of April, instead of the 1st day of May. In Common Council read and committed to Messrs Barnes, Waters, and Tracy with such as the Board of Aldermen might join to consider and report. Came with a concurrence. Read & concurred, and Aldermen Welsh and Robbins are joined. Stevens

Communication of the City Marshal, stating, that Adolph Bionberg, a Swede not naturalized was selling spirituous liquors under a license granted to William Burley or Burleigh. Also that Peter Pastronch was selling spirituous liquors under a license granted to Coleburn Hadlock. Read and thereupon ordered, that the above Burley & Hadlock be summoned to appear before this board on Thursday next, 3 o'Clock P. M. and shew cause if any they have, why their several licenses should not be revoked. Burley & Hadlock

Petition of Morton Roby &c. praying, that the height and line of Pond street may be determined. Read and committed to Aldermen Marshall and Oliver to consider and report. Roby Pond Street.

The committee on the communication of the Superintendent of burial grounds, reported, that they have authorized him to draw three dollars per annum for keeping the funeral cars clean and in good condition. Read and accepted. Funeral Cars.

Maelzel Automaton Chess Player

Application of John Maelzel for a license to exhibit the Automaton Chess Player, trumpeter, rope dancer &c. at Julien Hall, corner of Milk and Congress Streets for six weeks from Wednesday evening next, Read and the prayer thereof granted on paying therefor five dollars per week.

Revere Poplar St

The committee on the application of George Revere, reported; that they have granted him leave, to build a baker's oven in a house in Poplar street, near Spring Street, agreeable to the prayer of his petition. Read and accepted.

Rail way Co.

Ordered, that the City Marshal notify the Rail way company, that a prosecution will be commenced against him, unless the proprietors of estates near the bottom of Battery Street shall be relieved, by their causing the waste water from their cellars to be drained off, through their premises.

Rice Battery Wharf

Ordered, that the committee appointed to consult with Mr. John Rice, be authorized to agree with him, and cause a drain to be constructed through his estate near Battery wharf, and to pay him for his right.

Gibbs' heirs

The committee to whom was referred the memorial of the heirs of the late Mr. Gibbs, have considered the subject submitted to them and thereon Report, That from the vouchers on file relative to the expenses incurred by the memorial in the repairing of that portion of the premises which borders on Olive Street, it appears that the whole amount of said expenditure is twelve hundred, nineteen dollars, eleven cents. The committee have further to state in reference

to

to that portion of the premises situate on Pinkney street, that the proceedings of the public authorities have placed it in a condition which renders immediate attention necessary to prevent the stable and garden wall from falling into said street. Your Committee are of opinion that the lowering of Pinckney street has made the construction of a new under pinning of the stable and wall adjoining absolutely necessary for their excavation and the protection of the street upon which they border. The average amount of the several proposals made by mechanics applied to for their respective estimates of the expense necessary for the said Pinckney street repairs is eight hundred thirty seven dollars and fifty cents. The Committee, therefore, considering all the circumstances connected with the repairs on both streets, and particularly the superior claims for indemnity which may be urged in favour of the Pinckney street portion of the premises have come to the conclusion that the memorialists have an equitable claim upon the City government for such expenses as have been and may be incurred, to the amount of six hundred dollars; which sum if allowed, is to be in full discharge and satisfaction of all demands in the premises against the City. Which is respectfully submitted. By order, Daniel Carney, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Davis Neck Lands

The committee on Neck lands to whom was referred the communication of Isaac P. Davis, and others, relative to the purchase or exchange of lands, reported, that it is not for the interest of the City to accept of any proposition which has been made to them, and that there is

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no probability of any arrangement being made; and the Committee ask leave to be discharged from any further consideration of the subject. Read & accepted. Sent down for concurrence.

Hunnewell & South Boston.

The committee appointed on the petition of Jonathan Hunnewell and others, relative to the defining & laying out the streets at that section of the City, called South Boston, have attended to the duty assigned them, and find the circumstances set forth in the prayer of the petitioners as your committee believe correctly stated and deserving attention. Further information on some points is however desirable, which would require too much time and attention for the committee and they would report in part, by offering the following resolutions for the consideration of the Board viz:

1st. Resolved, That the side walks at South Boston, shall be fixed at eight feet wide on all fifty feet streets, and twelve feet wide on all eighty feet streets.—

2nd Resolved, That the proprietors of lands in that section of the City may set out forest or other ornamental trees on the line (which shall be that of the curb stones of the side walks, and in no other part of the streets, and that such trees shall thence forward become the property of the City and removable only by authority of the Overseers of highways.

3rd Resolved, That Mather Withington, Esq. & Mr. S. D. Fuller, be employed to collate carefully the original & printed plans of South Boston, and to state wherein the variations consist and to furnish such a plan and descriptions & sheets as shall most effectually reconcile these differences, and be most convenient to the public; and that said Withington

&

Fuller be requested to furnish an estimate of the expense of sur veying of the streets and affixing monuments of cedar posts at the corners of the several streets, and also to furnish an es timate of the expense of giving the relative elevations of the streets as requested in the said petition. All which is sub mitted.

J. Bellows
Henry A. Oliver } Committee.

Read and accepted and referred to the same com mittee to carry the report into effect.

Nehemiah Somes, licensed as an Auctioneer, at Auctioneer
No. 19 Kilby street.

Adjourned to Thursday next, four o'Clock, P. M.

Thursday, September 14th 1826.

Met according to adjournment.

Present The whole board.

Ordered, that the Mayor be and Penniman
he is hereby authorized to cause to be paid to Elisha Penni Washington st.
man the sum of fifteen hundred dollars, in full for land taken from his estate in Washington street, to widen said street, & for damages sustained and expenses incurred by him in the taking down and retaining the front of his store on the s.d street; it being understood that the City is to settle with the tenants of said estate, for damages sustained by them; and also if the building next south of said Penniman's estate should not be removed back to the new line of said street, within one year from the sixth day of June last, then the said Penniman shall be entitled to such further damages

as may result to him from a failure on the part of the City to remove said building.

Intelligence Offices — An ordinance relative to intelligence offices. Read and passed in concurrence with the Common Council.

Public Porters &c. — An ordinance for the regulation of public Porters and Handcartmen: and

Market regulation — An ordinance for the due regulation of the Markets. Read and committed to the Mayor, Aldermen Welsh and Oliver, to consider and report.

Boylston School — Petition of the inhabitants of the Boylston School, praying that the brick wall or fence may be carried round the School house lot. Read and committed to Aldermen Billows and Robbins to consider and report.

Boston Mill Corp.ⁿ — Petition of the Boston Mill Corporation, praying that the elevation of the several streets made on the Mill Pond land may be determined as said Corporation wish to complete the streets according to the terms of the agreement with the City. Read and committed to Aldermen Marshall and Oliver to consider and report.

Veasey Salem street. — Petition of Joseph Veasey, praying that some measures may be adopted to convey the waste water stagnant from his estate on Salem street, the drains of which has been stopped up in consequence of the filling up the Mill Pond. Read & committed to the committee on the subject of the Petition of Thomas Badger, & others, to consider & report. —

Petition of George W. Johnson, and others, praying liberty to dig a well in Salem street, and take suctions from the same, to supply their houses on Millman street. Read and committed to Aldermen Marshall and Oliver, to consider and report. G. Johnson Salem st.

Petition of Joseph Harrington, Attorney to the heirs of William Walter, praying, that the land belonging to said heirs, which was taken to lay out George street, may be paid for by the City. Read & committed to Aldermen Welsh & Loring, to consider and report. Walter George st.

Petition of Joseph Rowe, Esq. in behalf of himself and other owners of land lying between Pond & Eden streets, praying the acceptance by the City of a new street of forty feet wide and about five hundred feet in length through their land. And also that they may have leave to open a drain to the common sewer. Read and committed to Aldermen Carney and Jackson, to consider and report. Rowe New street.

Colburn Wadlock appearing before this board agreeable to summons, and after a full hearing, the board is of opinion that the said Wadlock has violated the provisions of the license law. Whereupon ordered, that the license of a victualler heretofore granted to said Wadlock be and the same is hereby revoked. Wadlock License revoked.

Ordered, that the subject of William Burley's license as a victualler be continued to next Monday week at the request of his Attorney, in consequence of the absence of said Burley. Burley

Engineer in debate

Communication of Samuel D. Harris, Esq. Chief Engineer, inclosing a complaint from George Durrendell, third Engineer of the fire department against the second foreman of Engine No. 5, for disobedience of orders, at the fire on last sunday night last. Read and thereupon ordered, that said second foreman be summoned to appear before this board, on monday next, three o'clock P. M., to answer to said complaint.

Eneas fire Society

The Eneas fire society, praying, that they may be admitted into the fire department, according to the rules and regulations thereof. Read and the prayer thereof granted, and thereupon ordered, that the Mayor certify the same to the Chief Engineer, together with a list of the members of said society.

Rice Battery Wharf

Ordered, that the Mayor be authorized to sign a contract or agreement made with John Rice, for milling a drain to pass through a passage way near the north Battery wharf, from Gun Street, to sign, in consideration of two hundred and fifty dollars, said Rice assigns all his right, title and interest in and to the same, for the purposes aforesaid.

Upper & Short streets.

Ordered, that the committee of the Southern district ascertain and report the true lines of Upper and Short streets.

Ayer Temple Street.

Notice from Charles Ayer, that he is about building on the corner of Devne and Temple streets. The board having viewed the premises notice being first given to said Ayer. Whereupon resolved, that the safety and convenience of the inhabitants requires, that said Temple

Street

street should be widened, and the same is laid out and widened in manner following viz: beginning at a point on the line of Derne street, as established on the twenty first ultimo, where the front line of the block of brick houses on said Temple street, belonging to James Page and others, continued to said Derne street, would intersect said line of said Derne street; thence running north on said continued line forty seven feet, two inches to land of Cushing Otis; thence running westerly on said land of said Otis three feet to the present line of Temple street; thence running south on said present line of said street, forty seven feet, one inch to Derne street; thence running east on said Derne street, three feet to the point of beginning, taking from the land of Isaac Parker Ayer and Cushing Nichols, one hundred & forty one, and three eighths square feet of land, viz: eighty one and three quarters square feet from said Ayer, and sixty feet from said Nichols.

Adjourned to Monday next, three o'clock P. M.

Monday September 18th 1826.

Met according to adjournment

Present The whole board.

An ordinance for the regulation of Public Porters and Handcartmen passed in concurrence with the Common Council. Handcartmen Porters

Ordered, that the City Clerk publish a notice to all persons possessing the business of public porters & handcartmen, that they forthwith obtain licenses as required by the above ordinance; and also to cause their hand carts, wheel

barrows

333. barrows and hand barrows to be marked and numbered, as are therein required on or before the fifteenth day of Oct. next.,

Handcarts &c. Ordered, that the committee on the Market assign stands for hand carts and wheelbarrows.

Ayer Dorne & Temple st. Petition of Charles Ayer for pay for land taken to widen Dorne street, and Temple street. Read and committed to Aldermen Welsh and Loring, to consider & report

Downer and Baldwin. The committee on the application of Downer and Baldwin for damages, in consequence of the Surveyors of Highways taking part of their estate to widen Merchants Row reported, that they were unable to agree with the petitioners. Read and accepted, and thereupon ordered, that the committee be discharged from any further consideration of the subject.—

Goddard Milk street. The committee of the District reports, that the land taken from William Goddard to widen Milk street, is one hundred and forty nine feet, and a half square feet, at one dollar and seventy five cents amounts to two hundred, sixty one dollars and sixty two cents and that s.d amount be paid to him. Read and accepted.

Juvenile Offenders. Communication from the Directors of the House for the employment and reformation of Juvenile Offenders, stating, that they have appointed Bartholomew Brown Esquire Master of said establishment at South Boston and that the house is ready for the reception of such persons as may be sentenced under the act passed March 24th 1826. Read & placed on file.

On the petition of Calvin Littlefield; Resolved, That the safety and convenience of the Inhabitants requires, That the line of Eben Street should be altered; and the same is laid out and altered accordingly, viz: That the southerly boundary of said street be the northerly wall of the houses now erecting by said Littlefield, at the corner of said street and Short Street. And that the land formerly a part of said Eben street, & now covered by the easterly end of said block of houses, be discontinued and the land formerly belonging to s.d Littlefield lying in front of the westerly end of said block of houses be laid out as a part of said street. Littlefield Eben Street.

Adjourned to Monday next, four o'Clock P. M.

Monday September 25.th 1826.

Met according to adjournment.

Present The whole board.

Petition of William Pitts, and James Morrill, Attorney & Agent of the minor heirs of Lindall Pitts, praying that they may be paid for a piece of land which they claim being taken into the street south of the block of stores on South Market street. Read and committed to Aldermen Bellows and Robbins, to consider and report. Pitts new Street

Petition of Benjamin Yealon, praying that Front street near Eben street may be widened by taking a piece of land belonging to Samuel Hastings, for that purpose; to conform to the line of his building, which he was directed by the Surveyors of Highways to set back in order to widen s.d Street. Read & com.d to Alder.n Farnum & Jackson, to consider and report. Yealon Front Street.

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Collon Purchase &c.

Petition of Joseph Collon, praying that he may be remunerated for a piece of land taken to widen Purchase street. Read & committed to Aldermen Bellows & Robbins, to consider and report.

Donnison Grove & Hill Streets.

Petition of William Donnison, Esquire, praying that Grove and Hill streets which have been recently closed by some person or persons may be opened into Pinckney street, as they formerly were. Read and committed to Alderman Welsh and Loring, to consider and report.

Messenger Sheafs Lane

Petition of Daniel Messenger, and others, praying that the name of Sheafs lane may be changed, and that the same may hereafter be known by the name of Mason street. Read and committed to Aldermen Carney and Parker to consider and report.

Court room.

Order of the Common Council appointing Messrs. Curtis, Wales, Lodge, Bowes and Faxon with such as the board of Aldermen might join, be a committee to confer with Chief Justice Ward, and make such arrangements for the holding of the Court of Common Pleas, as may be necessary. Came up for concurrence. Read and concurred, Aldermen Welsh, Oliver and Loring are joined. —

Downer & Baldwin Merchants Row State street.

Petition of Downer and Baldwin, & others, praying that a common sewer may be made from Merchants Row through State street towards the Long wharf. Read and thereupon ordered, that all persons interested be notified to appear before the board, on monday next, four o'clock P. M. and shew cause, if any they have, why said Common Sewer should not be constructed

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and the expense thereof apposed upon those who should be benefited thereby, by causing notice to be printed in one or more newspapers printed in the City.

Licenses. Innholders &c.

The committee upon the subject of licenses to Innholders, Retailers, Victuallers and Confectioners reported the following rules, viz: 1. That no person keeping an oyster shop, or a store or cellar in which suppers are accustomed to be given, or meal and fish to be sold after ten o'clock at night be hereafter licensed as a victualler.

2. No person shall be licensed as a victualler, except in a house where he resides; or in Shops or stores conducted under his personal presence or superintendence.

3. That no licensed victualler shall employ a partner, or any general agent, in conducting any licensed house, shop or store, unless such partner or general agent be approved by the Mayor and Aldermen. Read and accepted.

Sargent & Tileston.

Ordered, that the several licenses granted to Dudley Sargent and John Tileston, as victuallers be and hereby are revoked, it appearing to this board, that they have been guilty of violating the license law by keeping their respective places of business open after ten o'clock at night.

Heywood

Ordered, that the license of a victualler to Reuben Heywood be not renewed; he having been in the habit of keeping open his shop or cellar after ten o'clock at night.

Hand carters

Ordered, that the several applications for licenses as hand carters be committed to the Mayor, with an authority to license such as he may deem expedient, and that the

Mayor

331. Mayor, Aldermen Oliver and Loring be a committee to appoint places for them to stand.

Engine House No. 16. Ordered, That the Chief Engineer of the fire department, be directed forthwith to remove Engine No. 16. from its present location, near Foster's wharf, and that the committee of the district cause the Engine House to be removed or taken down.

Passengers. It being represented that several vessels have arrived in the harbour of Boston, bringing passengers who are liable to become chargeable to the City & State, and having no legal settlement in this Commonwealth. Thereupon ordered, That the City Marshal be directed to monish each and every master of a vessel who has not filed a list of his passengers with the City Clerk and given bonds according to law.

Washington Street. The committee of the Southern district who were directed to ascertain whether any encroachments had been made on Washington street, Report that on examining the deed and plan of a strip of land sold to the City by the heirs of Josiah and William Brown, March 17, 1823, South of the Green store, so called, on the easterly side of Washington Street, there appeared to be an encroachment on the street by setting posts four feet in advance of the line, and on representation being made to the heirs, the posts have been removed. The committee recommend that said strip of land be paved, so as readily to identify the bounds in future. All which is respectfully submitted.

Daniel Carney & Francis Jackson Committee.

Read and accepted.

An ordinance for the due regulation of the Markets passed in concurrence with the Common Council, with amendments. Sent down for concurrence. Came up concurred as amended by virtue of report of committee of Conference. Markets regulation.

The Mayors message relative to the appointment and salary of the Superintendent of Streets. Read in the Common Council and committed to Messrs Dorr, Hastings and William Parker with such as the board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and Aldermen Loring and Jackson are joined. Superintendent of Streets.

Isaac Bowers and Ann G. Fuller were licensed to keep Intelligence offices. Intelligence Offices.

Thomas Roddan, Sexton of Christ Church was nominated and appointed a funeral undertaker. Funeral undertaker.

Adjourned to Monday next, four o'Clock P. M.

Special Meeting.

Friday September 20th 1826.

Present The whole board.

Gentlemen of the City Council, Mayors message Gun House

I have the honor to communicate a letter of the Adjutant General's whereby he proffers to contribute out of the funds of the State the sum of two hundred dollars towards the cost of the building of the Gun house recently erected by the City on Point the Laboratory, on the terms usual in such cases. I respectfully suggest the

expediency of according to the proposition of the Adjutant General.

Josiah Quincy.

Read and thereupon resolved, That on payment of the sum specified in the letter of the Adjutant General, of the 20th of June last, and on the terms and conditions expressed in that letter, the Mayor be authorized to execute to the Commonwealth, a lease of the land, on which the Gun house, near the Laboratory stands, so long as it shall be used as a Gun house; it being expressly understood, that the City shall at all times have a right to remove the said Gun house to a new location, to be provided by the City and satisfactory to the Commonwealth. Read and accepted. Sent down for concurrence.

Treasurer to borrow money.

Order of the Common Council authorizing the Treasurer to borrow for the use of the City, and in anticipation of the tax of the present year, a sum of money not exceeding forty thousand dollars, reimbursable at such periods within the present financial year, and on such other terms & conditions as the committee of finance may approve. Came up for concurrence. Read and concurred.

Resident Physician Salary.

In order to establish the compensation of the Resident Physician, at Hospital Island, during the current year. It is ordered, That the salary of the Resident Physician at Hospital Island, during the current year, be at the rate of One thousand dollars, per annum, payable quarter yearly. Came up for concurrence. Read and concurred.

Ordered, That the committee on the subject of the City Watch consider and report upon the expediency of augmenting the same. City Watch.

The Mayor communicated a letter from James Stevenson, Esquire, Mayor of the City of Albany, transmitting a new and revised edition of the laws of that City; together with a copy of an edition of 1773; the City Charter and the laws of the State of New York relating to that City. Albany Laws.

Read and thereupon resolved, That the thanks of this board be presented to James Stevenson, Esq. Mayor of the City of Albany, therefor, and that the books be placed in the Library of the City.

To the committee to whom was referred the petition of the Mill Corporation, I should recommend that the following elevations of the streets referred to in said petition be established by the Board of Aldermen. That the top of the edge stones on Pond street, at the intersection of Stillman street, be placed one foot, nine inches below the surface of the floor of the store at the corner of Pond and Stillman streets, on the west side of Pond street and north side of Stillman street. That the top of the edge stones on Charlestown street, at the intersection of Stillman street, be placed three feet; at the intersection of Cooper street two feet three inches; at the intersection of Thacher street, one foot four inches; and the intersection of Causeway street, four feet four inches, below the surface of the said floor of said store. That the top of the edge stones on Haverhill street, at the intersection of Market street, Travers Streets Mill Pond elevation.

street

Streets on Mill Pond Elevation

Street and Causeway Street, be placed four feet four inches, & at a point equi distant from Market Street and Traverse Street, & at another point equi distant from Traverse Street, Causeway Street, three feet, four inches, below the surface of said floor of said Store. That the top of the edge stones on Beverly Street, at the intersection of Charlestown Street be placed two feet, three inches, at the intersection of Traverse Street, two feet, ten inches; at a point two hundred feet westerly of Traverse Street, two feet; at the intersection of Causeway Street, three feet six inches, below the surface of said floor of said Store. That the top of the edge stones on Medford Street, at the intersection of Charlestown Street, be placed one foot, four inches, and at the intersection of Causeway Street, three feet four inches, below the surface of said floor of S.d Store. That the top of the edge stones on Causeway Street, at the intersection of Haverhill and Charlestown Streets be placed four feet, four inches; and at a point equi-distant from Medford Street and Beverly Street, three feet below the surface of said floor of said Store, and that said Streets descend regularly from the higher points to the lower, in the most convenient manner to carry off the water. Herbert P. Fuller.

The committee on the petition of the Boston Mill Corporation, herewith report, that they have received from Wm. H. P. Fuller, the annexed communication in answer to the call made upon him by your Committee, in obedience to the vote of the Board. All which is submitted. Josiah Marshall, Henry L. Oliver } Com. of the District.

Read and accepted, and thereupon ordered, that Mr. Fuller be authorized to place stakes and mark the elevation of the several streets agreeable thereto at the expense of said Corporation.

under the direction of the Committee of the District who reported the same.—

Adjourned to Monday next four oClock P. M.

Monday October 2d 1826.

Met according to adjournment.

Present— The whole board.

A petition was presented from Francis Dewson, a Captain of one of the vessels whom the City Marshal was directed to prosecute by an order of this board, passed the twenty fifth day of September inst; in the words following viz: "To His Honor the Mayor and board of Aldermen of the City of Boston; the following facts are respectfully submitted. The Ship Topaz from Liverpool of which I am master, arrived in this port on Sunday the 24th Sept. at 2 P. M. the wind blowing strong from N. E. did not get the Ship into the wharf until monday night at 7 oClock; on tuesday morning the passengers were reported to the City Marshal. I am confident there has never been an instance of the Captains of the Packet Ships neglecting to make a report. The passengers brought in the Topaz have all been produced to the City Marshal and required no bonds, their friends having paid their passage here in June last, and forwarded me funds at Liverpool to supply them with necessaries for their passage. Francis Dewson. Witness to the above statement of facts. Joseph Ballender; A. Whiting, John E. Lodge, Henry Harris." And the said Petition being read and evidence thereon had, and debate thereon arising, Alderman Bellows moved the following order, viz: Ordered, that so far as this board has authority, it has no

Dewson Ship Topaz

objection

objection that the City Marshal should no further prosecute Wm Dawson of the Ship Topaz for bringing passengers and landing them contrary to the act, entitled "An act to prevent the introduction of paupers from foreign ports or places." Which prosecution was instituted under its direction, provided said Dawson give sufficient bonds in the sum of two hundred dollars, for each passenger thus brought and landed, and also pay all costs and expenses of prosecution." And the said order was passed; four in the affirmative; three in the negative. The yeas and nays upon passing said order being demanded by Alderman Welsh, and the same were taken as follows viz.

Yeas Aldermen Carney, Bellows, Marshal & Loring. 4.

Nays Aldermen Welsh Oliver and Jackson 3

The Mayor requesting that his vote might be added to those voting in the affirmative, the same was granted. So the above passed five in the affirmative; three in the negative.

Walch

A petition was presented from Joseph Walch Junior, a Captain of one of the vessels whom the City Marshal was directed to prosecute by an order of this board passed the twenty fifth day of September, last, in the words following viz: "To the Honorable the Mayor & Aldermen of the City of Boston. Joseph Walch Jr. of Kennebunk, in the State of Maine, begs leave, respectfully to represent, That he is prosecuted at the suit of the City Marshal, for landing a passenger in violation of a Statute of this Commonwealth. The circumstances of his case are as follows. He arrived at this port, from Liverpool on Sunday the 24th inst. in the Brig Delos of Kennebunk, of which vessel he is master, the owner Wm. Charles P. Williams resides at Kennebunk, was

there

there when the vessel arrived. The Pilot brought eight pas-
sengers John McEryon aged 30 years, a manufacturer of cotton
& woolen goods, he has gone or intends going to reside at
Providence. Samuel Morrill aged 18, is bound an apprentice to
a blacksmith & machinist and has gone to Exeter. William
Morrill aged 40. Thomas Palmer 33. Thomas Bourke 32.
and Michael McKenna 40. These four are brickmakers &
have previously all gone to the State of New York, as they in-
tended. Samuel Dane aged 46. and John Lloyd 34. have
both engaged places in the New England Glass Company's works
at Cambridge, at high wages. These passengers were all English
men and all had the appearance of being sober, honest and
industrious. He would further represent that he is almost a
stranger here, that he has not visited the port for the last
three years, and has never before brought passengers. Two lists of
these passengers were given in by him at the Custom house;
but no one there informed him of the existence of the law,
for the violation of which he is prosecuted; neither had he
any knowledge of any such law, till the commencement of
the prosecution. These facts he respectfully asks leave to con-
firm by his own oath, and such testimony as he has been
able to procure, and to be discharged from the suit which
has been commenced against him; upon such terms & conditions
as under all the circumstances may seem proper. Enoch
Hale Jun.". And the said petition being read, and evidence
thereon had, and debate thereon arising, Alderman Bellows moved
the following order, viz: Ordered, That so far as this board
has authority it has no objection that the City Marshal
should no further prosecute Enoch Hale, Jun. of the Brig
Pelos, for bringing passengers and landing them contrary to the

and

act, entitled "An act to prevent the introduction of paupers from foreign parts or places" Which prosecution was instituted under its direction, provided said Welch give sufficient bonds, in the sum of two hundred dollars for each passenger thus brought and landed, and also pay all costs and expenses of prosecution. And the said order was passed, five in the affirmative, three in the negative. The yeas and nays upon passing said order being demanded by Alderman Welch, & the same were taken as follows viz: Yeas - Aldermen Lowell, Bellows, Marshall and Loring. 4.

Nays. Aldermen. Welch, Oliver and Jackson. 3.

The Mayor requesting that his vote might be added to those voting in the affirmative, the same was granted. So the order passed five in the affirmative, three in the negative.

Treasurer to borrow money

Ordered, that the Treasurer be authorized to borrow, for the use of the City, a sum of money, not exceeding the amount of such portions of the City debt, bearing interest at or above five per cent as may be redeemable before the second day of February 1827, to be applied to the redemption of such amount bearing interest as aforesaid; the money so borrowed to be reimbursable at such times and on such other conditions as the Committee of finance may approve, and to be procured by the creation of the City Stock, or in such other manner as the said Committee may direct. Came up for concurrence. Read & Concurred.

County lands Court house

Ordered, that the Committee on the County lands, be instructed to report a plan of a Court house, and estimates of the cost of building the same, at the next

next meeting of the City Council Came up for concurrence.

Read and concurred.

House of Industry.

The joint committee of the City Council to whom was referred the application of the Directors of the House of Industry, requesting a grant of six hundred and fifty dollars for the purpose of fitting up a small building now situated near the large gate at the entrance of the establishment at South Boston, denominated the "House of Industry," said building to be occupied as a Porters Lodge, so called, or in other words a house suitable for the accommodation of a family whose business it shall be to have charge of the gate for the better security of the subjects of said institution, have attended to this subject and ask leave to report

That your committee have visited the premises and on the question of expediency can have but one opinion, and that is, favorable to granting the request of the Directors. As it regards the expense of fitting up and repairing the building for the purpose for which it is wanted, it will be seen on reference to the estimate that the sum of one hundred dollars is put down for a well and which it is now proposed to dispense with; there are also a considerable quantity of old materials on hand which may be used in doing the work and there is also an item of fifty dollars for incidental charges which it is thought may also be avoided, the amount of all which is, that your committee on consultation with the committee of the Directors have thought that the work could be done, and the object accomplished for the sum of three hundred dollars. Which sum your committee recommend should be authorized by

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by the City Council to be expended for the purpose aforesaid, and your committee the more readily come to this conclusion, inasmuch as no new appropriation need be made on account of it, for the reason, that as the object for which this expenditure is requested, connects itself with the establishment for juvenile offenders, for which an appropriation of three thousand five hundred dollars has been already made by the City Council, of which sum three thousand two hundred dollars is now on hand, three hundred dollars only having as yet been disbursed, as appears by the books at the auditor's office) so your committee would recommend that the sum of three hundred dollars be taken from said appropriation & expended by said Directors for the object expressed in their application. All which is respectfully submitted by,

Henry J. Oliver, in behalf of the Committee.

Read and accepted in the Common Council. Came up for concurrence. Read and concurred.

Juvenile offenders

Application of the Directors of the House of ~~Correction~~ for the employment and reformation of Juvenile offenders" requesting twelve boys now in confinement in the House of Correction to be transferred to the first mentioned House. Read and thereupon ordered, that the same be referred to the Mayor with a request to make application for the transfer to the House for the employment and reformation of Juvenile offenders the several boys named in the return of the master of the House of Correction, or such of them as he may deem proper agreeable to an act of the Legislature passed March 4. 1826 entitled "An act concerning juvenile offenders in the City of Boston." —

Communication from the Health Commissioner stating that a man at Brighton has taken the small Pox at New York and that application had been made to have him removed to Rainsford Island Read and thereupon ordered, that the Mayor be requested to give direction to have said person removed to said Island with the consent of the parties interested. Health Com.

It appearing to this board that notice has been given agreeable to an order passed the 25th ultimo on the Petition of Dorrance & Baldwin and others praying that a common sewer be made from Merchants Row thro' State Street towards the Long Wharf and the expense thereof apportioned according to law, and no person appearing to object, thereupon ordered that the same be referred to the Mayor with authority to cause said common sewer to be constructed if upon consulting with Mr. Patterson it shall be deemed advisable so to do. Dorrance & Baldwin Merchants Row and State Street.

Petition of Ebenezer T. Andrews and others Buckman praying that the common sewer in Common Street commencing near the head of Hollis Street and running to Elliot Street may be taken up and relaid deeper and larger, the present one being insufficient to drain the Cellars of many of the estates on said Streets and the expense thereof apportioned upon those who shall be benefitted thereby agreeable to law. Read and thereupon ordered that all persons interested be notified to appear before this board on Monday next at four o'clock P.M. and show cause if any they have why said common sewer should not be taken up and relaid and the expense thereof apportioned according to law by causing a notice to be published in one or more newspapers printed in the City. Andrews Common St.

Andrews Washington St.

Petition of Ebenezer T. Andrews, praying to be remunerated for damage to him in consequence of a strip of land in Washington Street, at the head of Central Court, being taken to widen said street. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Welles

Remonstrance of John Welles, & others, against the petition of Joseph Rowe, praying the City to accept a street forty feet wide, running from Bedford to Essex streets, through the land belonging to said Rowe and others. Read and committed to Aldermen Carney and Jackson, to consider and report.

Messenger Avery street

The committee on the petition of Daniel Messenger, and others, praying, that the name of Sheafe lane may be altered, reported, that the former name be discontinued, and that the same be hereafter called and known by the name of Avery street. Read and accepted.

Rand Spring street

Petition of Hale Rand, praying that she may be indemnified for damage said to have been sustained by her in consequence of the lowering of Spring street near North Allen street. Read and committed to Aldermen Welsh & Loring, to consider and report.

Claims against Towns

Ordered, that the several claims against several towns in this Commonwealth for the support of prisoners in the House of Correction, be referred to Alderman Welsh, with instructions to prosecute such delinquent towns, for the recovery of the same, by virtue of a law of the Commonwealth.

Ordered, that the Mayor & Aldermen Welsh and Loring be a committee to consider and report what regulations shall be adopted in relation to applications ~~shall~~ be concerning the fire departments and that the subject contained in the petition of N. L. Bolton, be referred to said Committee. Fire department

Petition of the Gas Light company, praying liberty to open several streets of the City for the purpose of laying pipes and offering to light the several streets of the City. Read and committed to Aldermen Billings, Parker and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Read and Concurred, and the Common Council joined on its part Messrs Gray, Farnsworth, Everett, Fenno and Baldwin. Gas Light Co

Petition of Edward Tuckerman & others, Proprietors of flats west of Washington Street requesting, that a Committee with adequate powers to compound and agree also, upon a line as regards the claims of the City. Read & committed to the Committee who have under consideration the subject of the flats in the west bay, or the receiving basin of the Boston and Roxbury Mill Corporation so called, to consider and report. Alderman Carney is excused from serving on said Committee and the Mayor is appointed in his stead. Sent down for concurrence. Came up Concurred. Tuckerman

Complaint made and signed by the Mayor and Aldermen to the Judge of Probate for the County of Suffolk, that John F. Barber of Boston, Gentleman, does by excessive drinking and idleness so waste his estate as thereby to subject Barber

himself

himself and family to want and suffering circumstances, and the City to a charge for their maintenance; and praying that such proceedings may be had thereon, as that a Guardian may be appointed to said Barber according to law.

Mill Pond drains

It appearing to this board, by a certain Indenture or contract made on the 24th of July, 1807, between the Town of Boston, and the Proprietors of the Boston Mill Corporation, that among other things the said Proprietors covenant "to lay and carry through the Mill Pond, from time to time, as the same shall be filled up, such common sewers as the Selectmen of Boston, for the time being shall direct and approve." And it also appearing to this board, that the drain or common sewer laid by the said Corporation in connection with and extension of the great common sewer leading out of Prince Street has been laid through lands, the title of which is disputed by private individuals and is in other respects unfinished, insufficient and unsatisfactory, and the same having never been directed or approved by this board.— Therefore it is

Ordered, that the said Corporation be directed to cause a common sewer to be laid in connection with and extension of the great common sewer from Prince Street, three and one half feet wide and of sufficient depth, through said Pond, in a direction of some public street through or near said Pond to be approved by this board.

Boston Mill Corp.

The Mayor, to whom was referred, to consider the State of the common sewer leading through the Mill Pond from Prince Street, and also the state of the obligation incumbent on the Boston Mill Corporation, in relation to it,

Report,

report, that the drain which connects with the great common sewer, leading from Prince street was laid by the Boston Mill Corporation; that it is insufficient and has, as far as can be ascertained, never been accepted or approved by any board of Aldermen or of Selectmen. That by the indenture or contract made on the 24th of July, 1807, between the town of Boston, & the Proprietors of the Boston Mill Corporation, the Proprietors covenant "to lay and carry through the Mill Pond, from time to time, as the same shall be filled up, such Common Sewers, as the Selectmen of Boston for the time being shall direct and approve." That no such "direction" has ever been given & no such approbation touching the drain now in question ever had, so far as the Mayor can ascertain. In addition to the general objection against the drain abovementioned, arising from its insufficiency, there is another arising from the fact that it passes out of Pond street, through land claimed by private individuals, and in case the Boston Mill Corporation shall fail in maintaining their title, the said drain will be liable to be cut off, to the great injury of the abuttors in one of the largest and most important Common Sewers of the City. It is understood, that the Boston Mill Corporation contend that the effect of a certain deed of quit claim given by the City of Boston, in November 1824, is to release them from their antecedent obligations in relation to drains; and that they refuse to cause the said drain to be completed and carried through Pond street, or in any other direction, maintaining that they have already fulfilled their obligations so far as required by said Indenture, and that they are also released therefrom if such be not the case, by the deed of quit claim above mentioned. — Is this construction of the deed of quit claim given in 1824,

Boston Mill Corp.

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Boston Mill Corp.ⁿ

is altogether new and as far as can be gathered from the papers, connected with the arrangement made between the proprietors and the City Council, such construction of the above deed, did not enter into the intention of the parties at the time of that arrangement, and whether such is the legal effect of that deed is to say the least very doubtful, the Mayor is of opinion, that it is the duty of the Board of Aldermen to proceed in this case upon the basis of the original Indenture, between the Town of Boston and the said Proprietors in July 1807; it being impossible for the Board to admit the construction contended for by the Proprietors of the Mill pond unless compelled to it by legal decision of a competent Court.

With these views, the Mayor recommends that the order should be passed by this Board, marked A. herewith submitted containing a "direction" to that Corporation in the terms and conformable to the authority given in the original indenture of July 1807, in order to lay the foundation of a legal prosecution of the proprietors for the non performance of that Covenant; in case they should neglect to comply with this order.

It is proper however, as the Common Sewer leading from Prince Street is of a very important Character, and the season of the year is fast advancing, in which it ought to be commenced, if it be done at all and the Proprietors of the houses abutting upon Prince Street Common Sewer, are very anxious upon the subject, they having already suffered damage from the insufficiency of the Common Sewer laid by the said Proprietors.

The Mayor is of opinion that the whole subject should be laid before the City Council, to the end that if they see fit to authorize in case the said Proprietors should refuse to comply with the order of the Board, that the same should

be

be forthwith laid at the expense of the City, and that an petition be brought to compel the proprietors of the Mill Pond to reimburse said expense conformably to their contract.

The length of the drain thus to be laid being more than five hundred feet and its depth & size, and the labour in making it, (which the nature of the land requires being such as render it necessary to pay at least four dollars a pool for laying it, the whole cost cannot be less than two thousand dollars, an expense which the existing annual appropriation for common sewers does not permit this Board to incur without the previous sanction of the City Council: All which is respectfully submitted. — Josiah Quincy.

Read and thereupon ordered, that the same be committed to the Mayor, Aldermen Bellows & Robbins, with such as the Common Council may join, to consider and report.

Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Peabody, Barry, Lodge, Farnsworth and Howe. —

Victuallers

The City Marshal reported, that he had received information that a number of licensed victuallers, named in his communication had kept their places of business open after ten o'clock in the evening, contrary to the provision of the license law. Read and thereupon ordered, that the same be referred to the Mayor, to give notice to the several persons therein named, that such complaint has been made against them.

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Tuesday October 3rd 1826.

Present The Mayor. Aldermen Carney, Marshall, Oliver and Loring.

Dall
Franklin School.

The joint committee on the application of William Dall and others, for inclosing the land in front of the Franklin School house and making a well thereon, report that it is their opinion; that the interests of the School would be promoted by enclosing the land referred to, and therefore recommend, that it be done; but they consider the plan offered by the petitioners as much too expensive, & propose as a substitute therefor, to remove the stone posts now standing on the outer edge of the sidewalk, and reset them on the inner edge of the same in a straight line, extending along the whole front of the land, & connecting them by substantial iron chains attached to each post, leaving openings at proper intervals for entrances & the enclosure. In this way a cheap & lasting fence can be had answering all the purposes required, & removing all the evils complained of. The Committee further recommend, that the Surveyors of highways avail of this opportunity to straighten & widen Washington street opposite this land, which can be done without additional expense, if this plan is adopted. The Com.ee are satisfied that a well is necessary in this place, & therefore do deem it expedient to incur the expense of making one. On Common Council read & thereupon ordered, that the sum of $362.60 cts be appropriated to the erection of a fence in front of the Franklin School house, making a well near the same, & other expenses recommended by the report aforesaid; said sum to be charged to the appropriation for repairs, fuel & other contingent expenses of Schools. Came up for concurrence.

Read & concurred.

Adjourned to Monday next, four o'clock P. M.

Met according to adjournment.

Present — The whole board.

The committee of conference, appointed on the part of this board to confer with a committee from the Common Council, relative to the existing difference between the two boards in the choice of Island Keeper at Deer Island, Report, That they have had several meetings on the subject, and have agreed to recommend to their respective boards to recede from their respective votes, by which they severally made choice of Moses L. Hobart on the part of this board, and George P. Sawyer on the part of the Common Council, and to recommend the appointment of John Oliver, to that office; the committee have been induced to recommend this appointment from the long and faithful services of Mr. Oliver, and from his experience in being connected with that establishment. The committee also recommend that Mr. Hobart be paid for his services up to the first of January next. Com: of Conf. Island Keeper.

The foregoing report accepted and the board recede accordingly, and elect by ballot the above named John Oliver as Island Keeper. Sent down for concurrence. Came up concurred.

It appearing that notice has been given on the petition of Ebenezer T. Andrews, and Asa Buckman, praying, that the Common sewer in Common Street, between Hollis Street and Eliot Street, might be taken up and relaid, and the extreme thereof assessed according to law. And several persons appearing, and after a hearing, it is thereupon ordered, that the prayer of said petition be granted, and that the same be referred to the Mayor to see it executed. Andrews Common St.

Order of the Common Council committed.

Bellows Fire Department. The petition of N. C. Bellows, in behalf of fire company of Ward No. 1, for an alteration of the ordinance, establishing the fire department - to Messrs. James Hallet, Boss, Hastings and Baker, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Bellows and Oliver are joined.

Cotting New Street. Petition of Amos Cotting in behalf of the owners of estates on the new street or avenue leading from Court Street, stating, that they are about building upon their land forthwith, and request that the level of said avenue be determined and opened. Read and committed to the committee of the District Aldermen Bellows and Robbins with authority to have the same done.

Rag Carpet passage Merchants Row. Resolved, that the Avenue heretofore known as the "Rag Carpet passage" and now become a street thirty five feet wide, and on a direct line with Merchants Row as now laid out, be hereafter recognized and known as a continuation of said Merchants Row, and by that name said section of street be known and recorded accordingly.

Winthrop Merchants Row. Communication from Thomas L. Winthrop Esquire; claiming indemnity for his estate taken by the surveyors of highways to widen Merchants Row. Read and committed to Alderman Bellows and Robbins, to consider and report and said Committee are also instructed by this board to agree upon a reference of the claim of Wm. Pond, the late tenant of said Winthrop.

An ordinance to regulate Common Criers. Common Criers.

Read and passed in concurrence with the Common Council.

Claim of the heirs of Elizabeth Gray, for land taken to widen Hanover Street, by the Surveyors of Highways. Read and committed to Aldermen Bellows and Robbins to consider and report. Gray Hanover Street

Application of Dwelle and Hadley, for a license to exhibit a Large Plate and transparent Solar Microscope. Read and the prayer thereof granted until the further order of the Board. Dwelle & Hadley Microscope

Application of M. Geitner, for a license for a Concert at Boylston Hall for one night. Read and the license granted. Geitner Concert

Communication from Samuel D. Harris, Esq. Chief Engineer, enclosing a vote of the Board of Engineers of the Fire Department, requesting, that the number of firemen be increased to six hundred. Read and committed to the Committee who have under consideration the petition of N. C. Bettow, to consider and report. Sent down for concurrence. Ch. Engineer Firemen

Came up concurred.

Communication from the Auditor of accounts, stating, that the respective appropriations for printing, Stationary, and for incidental expenses and miscellaneous claims are insufficient to meet the demands already existing against them. The unusual quantity of printing which has been ordered by the Council the present year, very much overlapping that of former years, together with the expenses attending the funeral honors paid to Appropriations

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the Lately deceased Ex Presidents, are the principal causes of the deficiences in those two branches of appropriation. Read and sent down.

Dar & Davis. Rock lands.

The committee on Rock lands to whom was referred the petition of Charles Davis & Jonathan Dow, praying, that a new street may be laid out between their land and the City lands in the rear of the Bull Pasture. Report, that they have had several interviews with the petitioners upon the subject but have not been able to agree upon such terms as they would think would be for the interest of the City to accept, they therefore ask to be discharged from the further consideration of the subject. Read and accepted. Sent down for concurrence. Came up Concurred.

Petition of Ephraim Marsh, and others, praying, that the Mayor and Aldermen would act in concert with the Chief Engineer and remit him to cause the prosecutions now pending against them for several violations of the laws made to secure the City against fire, to be dismissed. Read and committed to the Mayor, Aldermen Bellows and Robbins with such as the Common Council may join, to consider and report; and said committee are also instructed to consider and report upon the whole subject. Sent down for concurrence. Came up Concurred, and the Common Council joined on its part, Messrs Curtis, Peabody, Wales, Magee and Brewer.

Tuckerman Seals

The committee to whom was referred the petition of Edward Tuckerman, and others, Proprietors of Lots west of Washington street, respectfully report, that a Committee be appointed by the City Council with full power

to meet committees appointed by the proprietors of flats west of Washington street, and by the Boston and Roxbury Mill Corporation, with like full powers to settle the line between the City and said Proprietors and the Boston and Roxbury Mill Corporation respectively; Provided, that no agreement shall be made, which shall authorize the said Proprietors or the said Corporation to erect any building between the Channel and Charles street. Provided, that three fourths of said Committee shall agree to such settlement and shall sign the terms of such agreement. Read and accepted, & thereupon ordered, that the former committee be appointed to carry the same into effect. The Mayor is excused from serving on said Committee at his own request, and Alderman Marshall is appointed in his stead. Sent down for concurrence.

Came up concurred.

The committee who were appointed to locate, appraise and lease the stalls in Faneuil Hall Market with the Cellars under the same, ask leave to report, that they have attended the duty assigned them, and agreeable to the report of the Clerk of the market, the stalls being one hundred and twenty eight in number are leased at a weekly rent of $383 75/100 or twenty thousand and thirty three dollars per annum; & that twenty cellars are also leased at five thousand two hundred and forty dollars per annum, that two cellars viz: No. 19 & 20 are not yet rented. The whole annual amount from the stalls already rented amount to $25,273. The committee ask leave to be discharged, that in future the authority be vested in the Mayor and Aldermen. Read & referred to the committee on the Market, to consider & report.

Faneuil Hall Market Stalls.

Adjourned to Monday next, four o'clock p. m.

Special meeting.

Tuesday, October 10th 1826.

Present. The whole board except Aldermen Oliver & Robbins.

Marsh
Buildings conf. to law

The petition of Ephraim Marsh & others, praying, that the Mayor and Aldermen would act in concert with the Chief Engineer, and request him to cause the prosecutions now pending against him for violations of the law to secure the City against fire, to be dismissed" was taken into consideration, and the Chief Engineer having attended this meeting, stated, that he had examined the names of all the petitioners, and that in each of their respective cases, the prosecutions had been commenced in the regular exercise of his official duties on the complaint of private citizens; that in each case the violations of the law were decided and unquestionable; that in each of the respective cases, he believed, without a single exception, the violation had taken place after he himself had given notice to each individual of the provisions of the law either previous to his commencing building, or in season to have conformed to the law, if he had seen it; he deemed it therefore his official duty, to submit it to the board, whether it was for the public interest, for the public authority to take any measures to dismiss or suspend prosecutions in cases like those stated. Whereupon resolved, that under the circumstances stated by the Chief Engineer, it is inexpedient for this board to interfere in relation to the above mentioned prosecutions.

Adjourned to Monday next, four o'clock P. M.

Met according to adjournment.

Present The whole board.

Petition of Samuel Shaw Esq. Attorney and Guardian to the heirs of Watson Freeman deceased, making claim on the City for remuneration for land sold by the late town of Boston to Jonathan S. Austin and Benjamin Austin, and by them to said Freeman, and which land the heirs of the late Governour Hancock, recovered possession of against him. Read and committed to Aldermen Welsh and Robbins with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Peabody, Bassett and Waters. Shaw, Freeman

Petition of the Mercantile Wharf Corporation, praying, that the ~~subject~~ whole subject of laying out two new streets extending from the street north of North Market street, towards Lewis's wharf, in order that such modification may take place, as upon such consideration may be deemed expedient. Read and committed to the Mayor, Aldermen Cannon, Welsh & Oliver, with such as the Common Council may join, to consider and report, and that the last report of the Committee on the petition of said Corporation be referred to the same Committee. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Morey, Hastings, James, Grosvenor, Howe, Vaille and Wiley. Mercantile Wharf Corpn.

Petition of the firemen of Ward No. 12, praying, that they may have Caps allowed them to be worn at fires, similar to the Engine men. Read and committed to Firemen Ward 12.

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363. The committee who have under consideration the petition of N. C. Bellow, to consider and report. Sent down for concurrence. Came up concurred.

Roberts &c George Street

Petition of Richard S. Roberts and Nathaniel R. Cobb, praying, that a common sewer may be laid in George Street, and the expense thereof assessed according to law. Read and thereupon ordered, that all persons interested be notified to appear before this board on Monday next, four o'clock P. M. and shew cause why the prayer of said petition should not be granted.

Ayer & Hulburt Dorne & Temple Streets

Ordered, that the committee of the district direct that Charles Ayer and Nathaniel R. Hulburt be set back their buildings so as to correspond with a line drawn from the corner of Henry Sweetser's store on Dorne street, and also to correspond with a line drawn in front of the brick buildings on the easterly side of Temple street.

Leman

Petition of Ebenezer Leman, praying, that a committee be appointed to examine a machine constructed by him, for the purpose of saving lives, and property from the upper stories of buildings when on fire below; and that the same may be attached to the fire department. Read in Common Council, and referred to Messrs. Boies, Samuel Thacher and Baker, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Loring and Jackson are joined.

Outhank

Curtis Outhank, licensed to keep an Intelligence Office at No. 304 Washington street.

The committee to whom was referred the petition of Benjamin Ysaton, praying to be compensated for land taken to widen the northerly end of Front street, Report, that they are unable to agree upon terms that would be satisfactory to either party unless the new line of said street is continued through to Essex street, which would take from the adjoining lot owned by Mr. Samuel Hastings, two hundred eighteen feet of land. Mr. Ysaton understood from the board when his land was taken, that Mr. Hastings's land should be taken also, as soon as his new houses were completed. Your Committee are perfectly aware that the board do not intend to incur any more expense by widening streets, the present season, but if S. land is now taken Mr. Ysatons damages will be lessened one half. Your committee are therefore of opinion that economy as well as the safety & convenience requires, that said land be taken forthwith. Read and thereupon ordered, that Samuel Hastings be notified to appear before this board, on Monday next, four o'clock P. M. and show cause, if any he have, why Front street should not be widened near its junction with Essex Street, by taking a part of S. Hastings' land for that purpose, agreeable to a plan taken by S. F. Fuller. Ysaton Front St.

Ordered, that the committee upon the assessors order requiring the assessors to furnish the assistant assessors with the names of persons who are assessed for five thousand dollars & upwards of personal estate, be required to report at the next meeting. Assessors

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Tuesday October 17th 1826.

Present. The whole board.

Sullivan Mill Creek

Petition of John Sullivan & others, claiming indemnity, in consequence of the changing the course of the Mill Creek, and narrowing the same at the entrance, whereby their estates bounding on said Creek have been diminished in value in consequence of the interruption to vessels passing in and through the same and also protesting against any bridge being erected over said Creek. In Common Council read and committed to the committee who have under consideration the petition of the Mercantile wharf Corporation, to consider and report. Came up for concurrence.

Read and Concurred.

Auctioneer

Jabez Hatch Junior, licensed as an Auctioneer.

Adjourned to Monday next four o'clock P. M.

Monday October 23d 1826.

Met according to adjournment.

Present - The whole board.

McDonough.

Petition of George McDonough, praying to be relieved from the payment of a note of hand given by him to the Overseers of the poor, for the support of a bastard child of one Cecelia Lynch, the said child having died and ceased to be a charge to the city. In Common Council read and committed to Messrs Hatch, James & Fisher with such as the board of Aldermen might join, to consider & report. Came up for Con. Read & Con.d & Aldermen Loring & Jackson are joined.

Petition of Aaron Bancroft, & others, praying, that they may be sold by the gross hundred instead of not as now established. Read and committed to Aldermen Welsh, Jackson and Robbins, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Morey, Fisher, Thayer, Fiske and Adams. Bancroft &c.

Petition of Cyrus Alger owner of the City gas light company, stating that as he now wishes to lay about one mile of pipes which he has made and have now on hand, he proposes to lay them under the side gutter instead of the side walk; and he likewise prays, that his proposition for a contract to light the streets of the City, may be laid before the City Council. Read and committed to the Mayor and Alderman Welsh to consider & report. Alger Gas light

It appears that notice has been given to Samuel Hastings, agreeable to the order, passed at the last meeting; he accordingly appeared, and after a full hearing. Hastings Front Street.

Resolved, That the safety and convenience of the Inhabitants require, that the northerly end of Front Street, be widened. The same is laid out and widened accordingly, viz. by taking from the land of said Hastings, three and a half feet in width on the easterly corner of Essex and Front streets; thence running in a straight line to the front of Benjamin Gerton's new brick houses conformably to a plan taken by S. P. Fuller, dated April 1. 1826, taking from said Hastings, two hundred and eighteen square feet of land; & the Committee of the district are directed to remove the fence, and the front of the small shop, standing thereon;

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on the thirtieth day of October instant, and that the owner & occupant be notified accordingly.

Front Street.

Resolved, that the safety and convenience of the Citizens require, that the northerly end of Front street (formerly Rainford lane) be widened conformable to a prospective plan taken by S. P. Fuller, dated April 1. 1826. & that the same be recorded for the future widening of said street.

Roberts & Cobb, George Street.

It appearing to this board, that notice has been given, agreeable to the order of the last meeting on the petition of Richard S. Roberts and Nathaniel R. Cobb, that a common sewer may be laid in George street; accordingly several persons appeared and after a full hearing it is thereupon ordered; that the subject be committed to the Mayor, with instructions to grant the same if after examination he shall find that said street has been accepted, and if in his opinion said drain shall be deemed expedient.

Columbian Eagle fire Society

Petition of Columbian Eagle fire Society, praying, that they may be recognized by the fire department. Read and the prayer thereof granted, and that the Mayor certify the names of said Society to the Chief Engineer of the fire department.

May, Municipal Court.

Petition of Joseph May, and others, praying, that the present place of holding the Municipal Court may be changed to a place more convenient and central. Read and thereupon resolved, that the board will hear the Petitioners upon the subject on monday next, half past six o'clock, P.M. when they are requested to attend in the Aldermen's room.

The subscribers a sub committee of the Committee of the City Council on the subject of the extension of Faneuil Hall Market, are directed to state and lay before the City Council the circumstances relative to the contract for stone, made with the City of Boston by Messrs Tower Joy, John Redman and Gridley Bryant. Three gentlemen on the 30th of October, 1824, made a contract with the said City, for all the stone, and other materials necessary for the construction of the new Market House, with certain exceptions, expressed in said Contract, and according to certain specifications also therein expressed. By the tenor of said contract the said Joy, Redman and Bryant were to forfeit one hundred dollars, for each and every day, that their work should be in arrear of the several times fixed in said contract for performance. Now it has in fact occurred, that the work above specified has been greatly in arrear, of the several terms, expressed in said Contract, & a legal right has vested in the City to demand the penalties as above expressed, as a forfeiture for their said breach of covenant. In the apprehension of the committee for the extension of Faneuil Hall Market, the City Council are alone competent to give an authority for the relinquishment of such forfeiture. The subscribers further state, that the work above mentioned was of a character in point of nature & magnitude, such, as to form an apology for much of the failure, which occurred as above stated. And it is known to the said Committee, & the subscribers are authorized to state, that great exertions have been made by said Redman and Bryant, to complete their said contract, and also great responsibilities & liabilities incurred, which give them claims on the City Council for an indulgent consideration of their failure above specified.

Faneuil Hall Market

Joy, Redman & Bryant

The

The subscribers are also authorized and directed to state, that by the nature of the above contract and in the specifications therein expressed a difference of construction as to the measurement has arisen, and that which is the true construction according to the opinion of measurers employed by said Committee will be such as will be less than some of the said work actually cost; and in general from the circumstances attending the contract, the committee are of opinion that some allowance ought to be made to the said Joy, Redman and Bryant, beyond what a strict construction of their contract would warrant. Under these circumstances the subscribers are directed to request, if the Hon. Court see fit, that the Faneuil Hall Committee may be authorized to settle the account of said Joy, Redman and Bryant, upon such principles as they may deem equitable with power in case of settlement to remit the forfeiture above expressed. Josiah Quincy.

J. Bellows

23 Oct. 1826. Charles P. Curtis.

Read and accepted, and thereupon Resolved, That the Committee for the extension of Faneuil Hall Market, be and hereby are authorized to settle the account of Messrs. Joy, Redman and Bryant upon such principles as they may deem equitable, with power in case of settlement to remit the forfeiture as expressed in said report A Sent down for concurrence. Came up concurred, with an amendment at A insert "Provided that three fourths of said Committee shall in writing concur in such settlement. Read and concurred.

Firemen Ward No. 12. Charles H. Parker and Samuel Blake, jun. nominated and appointed firemen for Ward No. 12.

Petition of Abraham H. Quincy, praying, that the elevation of the crossing from Hamilton Avenue to Broad Street may be so altered as to give a more regular descent from said Avenue to said Street. Read and committed to Aldermen Bellows and Robbins, to consider and report. Quincy. Broad Street.

Petition of Paoli Brookes, praying for remuneration in land taken from him to widen Bunchase Street. Read and committed to Aldermen Bellows and Robbins to consider and report. Brookes. Bunchase Street.

Ordered, That the City Clerk issue notifications and warrants for the meeting of the Citizens in the several Wards, on the first monday of November, next, at twelve o'clock M. for the purpose of electing a number of Canvassers for each district. The Polls to be kept open until three o'clock P. M. — Ward meetings.

Ordered, That the committee on Faneuil Hall Market take into consideration the subject of a Watch there, and make such arrangements for the future as they may deem expedient. Faneuil Hall Market. Watch.

Ordered, That Amasa Nelson, Esquire, be notified to remove the platform placed on the south side of his building on Market square, within three days, and if not removed within that time, that the Mayor, and the Market committee cause said platform to be removed. Nelson. Market Square.

Representations of the Directors of the House of Industry, stating, that Harriet Wheeler alias Nuttage, & John Martin Myrick, inmates of said House have each of them an interest in certain estates in Boston. Read & committed to the Mayor & Alderman Parker, to consider & report. House of Industry. Nuttage & Myrick.

Voting lists

The Mayor reported, that he had caused the Ward lists of qualified voters, to be delivered as made out according to law to the Assessors, with a request of them and their assistance in making them perfect, by a comparison with their books and lists.

Dorchester lines.

Ordered, that notice be given to the Selectmen of Dorchester, that the Mayor and Aldermen will meet them at such time as shall be agreeable to them, for the purpose of perambulating the boundary lines between that town & this City.

Assessors

Ordered, that the assessors be required to furnish [a] to each of the assistant assessors, in the month of April, annually, a list of all the names of persons & copartnerships in the City, who were taxed the preceding year in personal property to the amount of five thousand dollars, and upwards, with the precise amount, they were taxed on real & personal property, specifying severally the amount they were taxed on real estate. Sent down for concurrence. Came up concurred with the following amendments, at [a] strike out the words "to each of the assistant assessors" and insert "the Mayor and Aldermen shall cause such number of copies to be printed as they shall judge necessary and shall furnish one copy to each of the permanent and assistant assessors, and one copy to each of the members of the City Council.

Read and concurred.

Auctioneer

Benjamin Hudson nominated & appointed an Auctioneer.

Adjourned to Monday next, half past six o'Clock P. M.

Wednesday October 25th 1826.

Present. The Mayor, Aldermen Marshall, Welsh, Loring & Robbins.

Petition of William Barry, praying to be relieved from the payment of taxes assessed upon him the last years by an abatement of such part as may be deemed equitable he being unable to pay the same. Read & committed in Common Council to Messrs. Grosvenor, Boies & Dorr, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Kearney and Oliver are joined. Barry.

Ordered, that Benjamin J. Severance be notified to appear before this board, on Monday next, at half past six o'Clock P. M. and show cause, if any he have, why his license as a victualler should not be revoked for an alleged violation of the license law. Severance.

Order of the Common Council, directing, that the sum of three thousand dollars be appropriated to the repair of the Mayhew School house; that two thousand dollars of the said sum be charged to the appropriation for the repair of public buildings, and the remaining one thousand dollars be withdrawn from the reserved fund of fifteen thousand dollars. Came up for concurrence. Read and concurred. Mayhew School house.

Ordered, that Aldermen Welsh and Loring, be a committee for the purpose of repairing the Mayhew School house.

Bond Street Common Sewer.

The committee of the City Council to whom was referred the consideration of the report of the Mayor on the subject of the necessity of a common sewer in Bond street in extension of the common sewer from Prince street, reasonfully Report, That the said common sewer ought to be so extended; and that the proposed direction through Bond street is the most suitable, and best calculated to promote the interest of the City, and that of the Proprietors of land, in that vicinity. They also are of opinion that no delay ought to occur in proceeding to lay the said common sewer conformably to the principles of the ordinance of the City Council, on the subject of common sewers, and either to assess the same on those benefitted thereby in whole or in part, according to the principles of that ordinance, or to look to the Mill Pond Proprietors for indemnification in consequence of their failure in the performance of their Indentures made with the City in this respect. For the purpose of laying such sewer an additional appropriation will be requisite, should this course receive the sanction of the City Council. —

Touching the liability of the Mill Pond Proprietors, otherwise called the Boston Mill Corporation, your committee state the following facts. — 1. That by the Indentures entered into by the said Corporation with the town of Boston, in July 1807, they "covenant that such common sewers should be laid & carried through said Pond from time to time as the same shall be willed etc, as the Selectmen for the time being shall direct & approve." — 2. That no such "direction" or "approbation" has ever been given, as far as your committee can ascertain by the former Selectmen, or by any Board of Selectmen until the second of October instant, and this relative to the common sewer now under consideration. This having been expressly done

for

for the purpose of laying the foundation of a legal pursuit of the rights of the City. 3. No such "direction or approbation" has ever been asked, or required by the said Corporation of any board of Selectmen or of Aldermen. Considering the urgency of the case your committee deemed it proper that propositions should be made to the said Corporation, having for their general basis, the building of the Common Sewer through Pond street, forthwith, and referring to Commissioners the proportion of expense, if any, which should be borne by the City, A letter having been addressed to the President of that Corporation by the Chairman of this committee to this effect, the letter marked A accompanying this report was received in reply. By which it will be perceived that the Corporation simplicitly decline any reference to Commissioners, proposing only "to take up and replace the sewer they say they have laid already; or declaring they will pay for the laying a sewer in Pond street, as much of the expense of the proposed process would amount to; which they also declare they are willing to attempt to estimate before hand, and to fix upon a sum to be paid". Your committee apprehend that neither proposition can be acceded to, inasmuch as acceding to either would be in the nature of an admission, that what the Corporation had done upon the subject of carrying sewers through the Mill Pond was, in any respect, a performance of their Covenants. An admission, which, in the opinion of your committee ought on no consideration to be made. Your committee apprehend, that nothing of the character of such a common sewer as the City authorities can "approve" has been laid by the said Corporation. It will be perceived by the letter from that Corporation, that they do not pretend that any "direction" or "approbation" has ever been

Pond street
Common sewer

asked

asked or given. But they contend, that inasmuch as the filling
Pond that step was notorious, that it was the duty of the Mayor Aldermen
Common Sewers to have given "directions" upon the subject, without any notice,
invitation or application from the Corporation for that purpose.
Your committee apprehend, that the rule of law will be
found directly the reverse on a subject of this kind from
that contended for by the Corporation, and that they who would
maintain the performance of a contract which is by its terms
to be done conformably to the direction and approbation of another,
will be held to show, that such "direction" & "approbation" has
either been in fact given, or, at least, that it has been asked.
In the present case, it was for the Corporation to have made
known to the City officers when the work had progressed to such
a state as to require the "direction" of the City officers, in relation
to the sewers. The Corporation never having required any such
"direction" and never having asked, so far as is known to your
committee, the official sanction of the City officers, the only
fair conclusion to be drawn from this fact is, that the work
has not yet progressed to that state, in which the Corporation
deem themselves justified in asking the direction or approbation
of the City officers of their proceedings in this respect. And this
your committee apprehend is the true state of the case, and
that no single proceeding of said Corporation has yet been such,
as would have been directed by the City officers, or the result
of which in its present state those City officers would have been
justified in approving. In the apprehension of your committee
the plain meaning of the Indentures entered into by the said
Corporation is, that the sewers should be laid as the pond
should be filled up, suitably for the laying of the sewers and
not that the sewers should be laid before the pond was thus

filled

Pond about Common Sewers

filled up. The course of proceeding of the Corporation in this respect has been, in the opinion of your Committee not only, not warranted by the terms of the indentures, but has, also, been such as renders the sewers thus laid by them, in all probability wholly destitute of that permanently efficient character, which the City have a right to expect, and which alone the Mayor and Aldermen can be justified in allowing. The course of proceeding adopted by said Corporation, in relation to what they call sewers has been, generally, and as far as can be ascertained by your Committee, uniformly the following. Before the filling up the Pond, that is, antecedent to throwing into the pond any dirt, in the place where those sewers are laid, they caused certain oblong wooden boxes to be fastened to studs driven by mallets into the mud, in the direction their agents deemed expedient. After this they proceeded to fill up the pond by throwing dirt into it; and upon these wooden boxes. These wooden boxes, thus laid, are what the Corporation call sewers, and this laying they are understood to maintain as a fulfilment of their Indentures; upon which your Committee observe that this course of proceeding is in their opinion not justified by the terms of their Indentures, and could not be approved, as it never has been by any Board of Aldermen, nor it is believed by any Board of Selectmen. The necessary consequence of thus laying the common sewers antecedent to the filling up of the Pond, is that the earth thrown upon sewers thus laid often sinks them below the level required for the draining the waste water from the upland. They are also often broken by the superincumbent pressure, become obstructed and soon useless. And as far as your Committee can ascertain there is probably not one Common Sewer thus laid, which will not, in a very short time

require

1845. reason to be taken up and rebuilt, at a very great expense,
Bond Street by the City, should it be accepted. This view of the subject
Common sewer makes it important that nothing should be done by the City
Council, which shall be construed into an acceptance or approbation of any of the sewers thus laid; as nothing has as yet been officially done by any board of Aldermen, as far as is known by your committee, or as is pretended by the Mill Dam Corporation, having that effect. Upon the whole subject, your committee are of opinion as first above stated, that the common sewer should be laid through Bond street, forthwith by the City, the exigencies of the vicinity requiring that no delay should be permitted to occur on this subject; and that measures should be taken to bring to the decision of some legal or equitable tribunal, the rights of the City in relation to the Mill Dam said Corporation, on the subject of common sewers. For this purpose they respectfully submit two resolutions for the consideration of the City Council. By order of the Committee.

Josiah Quincy, Chairman.

Resolved, That the Mayor and Aldermen, forthwith cause the common sewer, leading from Prince street, to be extended through Bond street to Charles river bridge, and that the sum of twenty five hundred dollars, be, and hereby is, so that portion added to the appropriation for common sewers, wells and pumps. That the same amount be withdrawn from the reserved fund.

Resolved, That the Mayor and Aldermen cause the rights of the City relative to common sewers, resulting from the several contracts made by the Boston Mill Corporation, to be brought as soon as possible to a legal, or equitable decision, as they may deem most expedient. In Common Council, the foregoing report was read and accepted, and the resolves

passed

passed. Came up for concurrence. Read and concurred, and referred to the Mayor to see it executed.

Joshua P. Callender, licensed as an Auctioneer. Auctioneer

Adjourned.

Monday October 30th 1826.

Met according to adjournm.t

Present The whole board, except Aldermen Carney and Robbins.

Petition of John Stratton, praying, that his claim for damages in consequence of his removing from the store of William Bordman, on Merchants Row, may be submitted to the decision of arbitrators. Read and committed to Aldermen Bellows and Robbins, to consider and report. Stratton Merchants Row.

The ordinance for the due regulation of the Markets, being read again, the Common Council having non concurred in the amendments proposed by this board; and this board adheres to its former vote and thereupon ordered, that Aldermen Welsh and Oliver, be a committee to confer with such committee as the Common Council may appoint on its part relative to the subject matter of difference between the two boards. Sent down for concurrence. Came up Concurred; and the Common Council appointed on its part, Messrs. Curtis and Lodge. Markets Com: of conference.

Petition of Ward Jackson, praying liberty to convey water from a well, on the east side of Bloom street to his house on the South side. Read & committed to Aldermen Welsh & Loring to consider and report. Jackson Bloom St.

Communication of Sheriff Sumner in-

Sheriff Sumner Municipal Court

closing a letter of the Clerks of the Municipal Court, relative to annoyance which the public suffer in being obliged to attend said Court as Jurors, Witnesses and Suitors. Read and committed to the committee on the Jails, who will consider and report upon the subject of removing the boilers in the kitchen under the Court room.

Hume Elephant & Licensed.

Application of John P. Hume, praying for a license to exhibit an Elephant, and other living animals for about three months. Read and the prayer thereof granted, he paying therefor, four dollars per month.

Severance Licence revoked

Benjamin F. Severance a licensed victualler appearing according to summons and it appearing that his Agent has been convicted of selling liquors on the Lords day. It is thereupon ordered, that the license heretofore granted to him, be and hereby is revoked.

Boylston

A communication being received, from Ward Nicholas Boylston Esq. offering for the acceptance of the City, for the use of the inmates of the House of Industry, a brindle pair of beef oxen seven years and a quarter old weighing four thousand three hundred and ninety two pounds, raised at his farm at Princeton; they have never been spotted; — Read and accepted. It is thereupon ordered, that the thanks of this board in behalf of the City be presented to Wm. Boylston Esq. for his liberal donation, and that the subject be referred to the Mayor to confer with the Director of the House of Industry, as to the best time of receiving said cattle. —

Auctioneer

Henry Waitt licensed as an Auctioneer.

Petition of the Directors of the Boston Mill Corporation praying, that Causeway and Charlestown streets which are now fit for passing, may be accepted by the City, and also praying, that the sweepings of the streets may no longer be permitted to be deposited on the City lot near the Canal. Read and committed to the Mayor, Aldermen Marshall and Oliver to consider and report. — Boston Mill Co. Causeway & Charlestown sts.

Ordered, that notice be given in the newspapers, that the lists of voters are prepared and placed in the Aldermen's room. And all persons entitled to vote, and whose names are not inserted on said lists are requested to call at said place one day before the election on Monday next, and have them inserted on the lists of the respective wards in which they dwell. Voters.

Order of the Common Council appropriating four hundred dollars for the purpose of building a brick wall on the north side and west end of the north yard of the Boylston School house on Fort hill, and that the same amount be withdrawn from the Reserved fund. Came into for concurrence. Read and concurred. Boylston School house.

Order of the Common Council directing that the sum of fifteen hundred dollars be added to the appropriation for printing and stationary, and that the sum of twelve hundred dollars be added to the appropriation for incidental expenses and miscellaneous claims, and that the sum of twenty seven hundred dollars be withdrawn from the reserved fund. Came into for concurrence. Read and concurred. Printing &c. appropriation.

Hobart

Order of the Common Council, directing that the salary of Moses L. Hobart, the late Island Keeper, be made up to the first day of January next. Came up for Concurrence. Read and Concurred.

Stetson

The Mayor reports, that in conformity with the order of the 23d instant, the Committee caused Amasa Stetson to be notified on the 24th instant, to remove the platform from the land therein specified, within three days, which not being done, the Committee directed Wm Patterson Superintendent of streets to remove the same, wch he did accordingly, on the 28th instant.

Smith

High School for Colored Children

Petition of Barney Smith and others, praying that a High School may be established for the children of the people of Colour. Read and referred to the School Committee, to consider and report. Sent down for concurrence. Came up Concurred.

Franklin School house

The committee of the Southern district, who were authorized to erect a fence and dig a well in front of the Franklin School house, reported, that with the advice of Wm Patterson, they contracted with Wm Thomas to dig said well by the day, who after having dug & bored through numerous obstacles one hundred and twenty four feet struck upon a solid rock and drilled a considerable time without success; he then commenced boring a new in a different direction, and worked down one hundred and thirty four feet repeatedly drilling & setting small stones & finally setting upon the same ledge. Under these circumstances your

Committee

committee have thought it their duty to lay before the board the unfortunate result of their labours, and in the mean time have directed that all further operations cease, until the pleasure of the board should be known. The estimate for the well was founded upon the actual expense of another well in the immediate vicinity where water was procured without meeting with any obstacles, and in a little more than half the depth; the sum appropriated for the fence and well was three hundred, sixty two dollars fifty cents. Your committee therefore very unexpectedly find themselves in the uncomfortable dilemma of having more than exhausted the appropriation without having accomplished either object for which they were directed to apply it. Your committee are fully aware of the importance of a strict conformity to appropriations; but when it is known that they have had to encounter obstacles which they could neither foresee nor control, they trust that no blame will attach to them; they are now of opinion that no further attempt ought to be made in that shot; they therefore recommend commencing anew about fifty feet from the same place. Which is respectfully submitted. Daniel Carney

Francis Jackson

Read and committed to Alderman Carney & Jackson with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs. Walch, Rice and Waters.

The committee of the City Council on the extension of Faneuil Hall Market, respectfully report, that there is a small triangular piece of land lying between the street recently laid out north of the south block

Faneuil Hall Market

of

383. of buildings on South Market street and Butler's Row. This piece of land contains about seven hundred square feet, it is of a character & has relations which render it proper and for the interest of the City that it should probably be sold, at private sale, and an offer has been made to the Committee, which in their apprehension is equal to its true value; and under circumstances, which in their opinion it would be the interest of the City to accept. They therefore respectfully request the authority of the City Council to make sale of the said land under the usual restrictions applicable to like cases. By order of the Committee.

Josiah Quincy, Chairman.

Read and accepted, and thereupon resolved, That the Committee for the extension of Faneuil Hall Market be and hereby are authorized to dispose of a small triangular piece of land, lying between Butler's Row, and the new street recently laid out to the South of the block of Stores on South Market street containing about seven hundred square feet, at either public or private sale as they may deem most for the interest of the City. Provided, three fourths of said Committee shall concur in the terms and mode of such sale and sign a vote expressing such concurrence.

Sent down for concurrence.

Came up concurred.

Firemen, Ward No. 1. Joseph M. Leavitt and Delmont Lock were discharged, at their own request from the Company of firemen in Ward No. 1.

Adjourned to Monday next half past six o'Clock P. M.

Met according to adjournment.

Present The whole board, except Alderman Bellows.

Order of the Common Council com- Suter
mitting the several Petitions of John Suters, Walter Greenough, Greenough
Samuel P. Shultzff and Benjamin Wiggin, stating, that the Shultzff
amount of taxes assessed upon them respectively is too high, Wiggin
and not in proportion to their property, and praying that the same may be reduced — to Messrs Grosvenor, Bois and Dorr with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Cearney and Oliver are joined.

Petition of William Fisk, and Moses Fisk
Hadley, measurers of wood and bark, praying, that some alter- Hadley
ation may be made in the price of measuring. Also a com- meas.rs of Wood
munication from Thomas R. Hopkins, tendering his resignation as a measurer on account of ill health. Severally read and committed to Aldermen Loring, Jackson and Robbins, to consider and report.

Petition of a committee of the pro- West Boston bridge
prietors of West Boston Bridge, praying, that Cambridge street Cambridge St.
may be continued from the west end thereof, to the place where the toll house on their bridge now stands, so that Charles street may have its termination on Cambridge street. Read and committed to Aldermen Welsh and Loring, to consider & report.

Communication of the Boston Mill Boston Mill &
Corporation, stating that they had received the deeds of the streets Streets.

as established by the Surveyors of highways, and that they do not object to the same (except the raising the center of Charlestown street, which they do not make a point of;) provided the City does not insist on filling the streets to those levels. They state that Canal, Causeway and Charlestown streets are now filled up as high as it is for the interest of the City, and of the Corporation to have them, except in some few places which they are ready to complete. And they say, so far as regards those streets they may have their mortgage discharged. Read and committed to the Mayor, Aldermen Marshall and Oliver, to consider and report.

Charles river bridge.

Communication was received from the Directors of Charles river bridge, protesting against the City's carrying a common sewer from Bond street, and thence under their bridge. Read and thereupon ordered, that Wm. Bullerson be directed to cause said drain to be carried through to Causeway street, and thence in the shortest route to the river.

Front & Speer streets.

The committee of the Southern district report, that they have caused the fence and shop to be removed from the land at the corner of Front and Speer streets, taken by the Surveyors of Highways of Samuel Hastings. Have reset the fence on the line and rebuilt the front of the shop. Read and accepted.

Yeaton Front street.

The committee of the Southern district report, that in their opinion Benjamin Yeaton ought to receive one dollar and twenty five cents per square foot for the land taken from him to widen the northerly end of Front street; they therefore

recommend

recommend that the same be paid him accordingly, to be in full for the land taken, and all incidental charges.

Read and accepted.

The committee of the Middle district Cotton
report, that in their opinion Solomon Cotton, ought to receive Purchase Street.
two dollars per square foot, for eighteen and two thirds
square feet of land, taken to widen Purchase Street. Read &
accepted, and thereupon ordered, that the same be in full
of all incidental damages.

Petition of the Boston fire Club, may Boston Fire Club
ing, that they may be recognized and considered a part of the
fire department under the ordinance establishing the same.
Read and the prayer thereof granted, and thereupon ordered,
that the Mayor Certify the list of members to the Chief Engi
neer of that department.

Letter from Mr. Alderman Welsh Harris.
was received and read, stating, that in pursuance of a vote of
this board he had examined into the title of Isaac Harris to a
passage way on both Frenchman's lane and leading from Lynn
street to the sea, and the right of the City to carry & maintain
a drain or common sewer through the same to the sea, and that
he is of opinion that the belonged to said Harris, & that the
City had no right to maintain said drain, unless by the
Consent of said Harris; and that in pursuance of directions of
the Board he has made a Contract with said Harris, granting
to the City the right to maintain said drain for twelve
years, for the consideration of two dollars, to be paid to him
annually, by the City, and that an instrument has been drawn
up to that effect.

Read and accepted.

Dorchester line

Ordered, That the board do meet the Selectmen of Dorchester on the line, tomorrow at three o'clock P. M. for the purpose of perambulating the line between that town and this City.

Adjourned to Monday next half past six o'clock P. M.

(Special meeting.
(Thursday November 9th 1826.

Present. The whole board.

Member of Congress votes examined

The board proceeded to examine the returns from the several wards, of the votes given in on the sixth instant, for one able and discreet person being an Inhabitant of Suffolk district, to represent the Commonwealth of Massachusetts, in the next Congress of the United States, and found them as set forth in the record of votes. The return was signed by the Mayor and ~~quorum~~ of the Aldermen, attested by the City Clerk sealed up and directed to the Secretary of the Commonwealth and delivered to him, at his office by the City Clerk.

Dorchester line

Pursuant to agreement, the Mayor & Aldermen of the City of Boston, and the Selectmen of the town of Dorchester, met on the line between said City and town this day, and perambulated the same, the south east boundary on the beach at Old harbour, commencing at a stone post, marked on the south side D, and on the east side B, thence running west north west to another stone post of the same description standing on the margin of the old road; thence croping the old road and the marsh in a straight line from the first named bounds to another stone of the same description

on

on the Dorchester turnpike; thence in a straight line to the channel in the bay lying between the said turnpike & Boston neck. Witness our hands this seventh day of November A.D. one thousand eight hundred and twenty six.

Josiah Quincy Mayor.

Daniel Carney
John Bellows
Josiah Marshall
Thomas Welsh Jr.
Henry J. Oliver
John T. Loring
Francis Jackson
} Aldermen of Boston.

Thomas Wales
Ebenezer Clap
Edw. Foster Jr.
} Selectmen of Dorchester.

Adjourned to Monday next, half past six o'clock P.M.

Monday November 13th. 1826.

Met according to adjournment.

Present. The whole board.

Order of the Common Council committing the several petitions of Gardiner Greene, and Charles R. Codman, praying abatement to their taxes, to the committee who have under consideration the petitions of John Suter, & others, to consider and report. Came up for concurrence. Read and concurred. Greene & Codman.

Petition of Jacob Sanderson, & others, praying, that some order may be taken in relation to sundry idle boys who frequent the Market near Faneuil Hall, and have become very troublesome. Read and committed to the Mayor and Aldermen Welsh to consider and report. Sanderson & others. Market boys.

Wales Sea Street. Petition of Thomas B. Wales, & others, praying, that the elevation of Sea Street, may be determined so that they may lay their side walks. Read and committed to Aldermen Carnes and Jackson, who are instructed to take into consideration the whole subject in relation to the acceptance of said street, and the conditions of such acceptance and ascertain how they have been complied with, and report thereon.

Faneuil Hall Market. The committee of conference on the part of the Board of Aldermen, on the subject of the disagreement, relating to the amendments proposed in the fourth section of the ordinance for the regulation of Faneuil Hall market, and the twelfth section of the same, reported, that they met the committee of the Common Council, who agreed to recommend to the Common Council to concur in the amendment proposed by the Board of Aldermen to the fourth section of the ordinance with the exception of the following words, to wit, "and as shall be approved by the Clerks of the Market." And the committee of the Board of Aldermen agreed to recommend to their Board to recede from their amendment of adding the twelfth section to said ordinance relating to public porters in Faneuil Hall market. Report accepted, and the Board recedes & acts accordingly, and said ordinance being amended agreeable to the same passed. Sent down for concurrence.

Same sides concurred.

Law Library Petition of the Proprietors of the Law Library, praying, that their room in which the Library is kept may be lighted during the sitting of the Judicial Courts, and the Supreme Court, from sunset until nine o'clock at night, at the expense

of the County. Also praying that a carpet may be furnished for said room. Read and committed to the Committee on the repairs of the County Court house, to consider & report.

Petition of Joseph Underwood, praying that the City would lease to him a piece of land on Merrimac Street. Read and committed to the Mayor and Aldermen Marshall with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs James, Faxon and Adams. — Underwood Merrimac St.

Ordered, that the Treasurer of the Franklin fund, be directed to give notice to all delinquents & bondsmen, that their bonds will be put in suit unless the amounts due are paid in thirty days. Franklin fund

Indentures of apprenticeship wherein Rodney Roby, is bound to George W. Vinton, a Confectioner said Roby having no father, mother or Guardian in this Commonwealth, approved by the board. Roby

Report of the Grand Jury of the County of Suffolk, in relation to the prisons, and recommending some alterations with respect to the accommodation of the prisoners therein, and advising that they be kept constantly employed. Read and committed to the Committee on the Gaol, to consider and report. Grand Jury Gaol

Adjourned to Monday next half past six o'clock P.M.

Monday November 20th 1826.

Met according to adjournment.

Present The whole board except Alderman Loring.

Harrington Cedar St.

Petition of Ephraim Harrington, and others, praying, that a new street extending, three hundred and twenty feet westerly from Pleasant street, and called by them Cedar street, may be accepted as a public highway, and named as aforesaid. Read and committed to Aldermen Carney and Jackson, to consider and report.

Gray Hanover St.

Petition of Minot in behalf of John Gray, claiming remuneration for three hundred and twenty four square feet of land, taken to widen Hanover street. Read and committed to Aldermen Bellows and Robbins, to consider and report.

Johnson

Petition of John Johnson, praying that an estate formerly belonging to him on Ridoult street, which he sold for fifteen hundred dollars, in the month of January, 1821, may be appraised and its true value returned at that time to the Secretary at War of the United States, in order that he may be restored to his pension, as a Soldier in the Army of the United States during the Revolutionary War. Read and committed to Aldermen Loring and Welsh to consider and report.

Bellow Firemen

Petition of N. L. Bellow, George Lane & D. Brigham, a committee of the firemen belonging to the fire department, praying, that Caps may be granted to the men, & Lanthorn for each Company. Read and committed to the committee who have under consideration the former petition of N. L.

Bellow

Bolton to consider and report. Sent down for concurrence.

Came up concurred.

Petition of Oliver Reed, and others, praying, that the drain in Inn street, between the head of Lewis's wharf and Hull street may be taken up and relaid. Read and thereupon ordered, that all persons interested in said common sewer be notified to appear before this board on Monday next, six o'clock P. M., and shew cause if any they have, why the prayer of said petition should not be granted, and those benefitted thereby assessed, according to law, by publishing said notice in one or more newspapers printed in the City. Reed Inn street.

Ordered, that the Mayor and Alderman Welsh be a committee to consider and report upon the subject of the public clocks, and upon the contract with Messrs Sawin and Dyer, to keep them in order. Clocks

Ordered, that the Mayor, Alderman Welsh and Robbins, be a committee to consider & report, what measures ought to be taken with respect to false alarms of fire in the night time. Fire false alarms.

Ordered, that the committee of the district be authorized to direct Wm. S. P. Fuller, to make a report in writing, of the variation of Hillman & Thacher streets, from the original lines at which they were laid out, & the names of the several abuttors, whose land it is necessary to take to rectify such variations, & where the land which the City owns is to be found to make up for the land which the City may have to take as aforesaid. Hillman & Thacher streets.

Wales Sea Street.

The committee to whom was referred the petition of T. B. Wales, requesting, that the southerly end of Sea street may be surveyed, and the width and elevation determined. Report, that the City Council voted Feb. 21. 1823, that said street "should be accepted as far as the counting room of Maj. Prentiss Hobbs, & as far as the City may see cause to accept, when the abuttors shall have made a formal surrender of said street, set edge stones, and fill up and make their side walks as wide as the Surveyors of highways may direct, and keep them in repair forever, the Centre of s[aid] street to be filled up with a body of gravel, all to the acceptance and approval of the Surveyors of Highways." —

Your committee apprehend that nothing remains for the City to do until the conditions are complied with, except to direct the height and width of the side walks. your committee therefore recommend, that each side walk shall be twelve feet wide, and that the top of the edge stones shall be eight inches below the top of the hammered stones under the store of W.m Samuel Sanger, at the north east corner of East and Sea streets; the pitch of the side walks to be four inches; the proprietors to provide sufficient water courses to let off the water; and the descent of the street to conform to the water courses which they shall provide.

Which is respectfully submitted. Daniel Carney
Francis Jackson

Read and accepted, and thereupon ordered, that W.m Fuller give the elevation of said side walks.

Auctioneers

James Hooton, Joseph Johnson, John Payne, and Kendall F. Edgell, licensed as Auctioneers. —

Ordered, That the Treasurer be authorized to apply so much of the proceeds of the Sale of City stocks, made October 20. 1826. as may not be necessary for the redemption of stock, bearing interest at or above five per cent. redeemable on or before the second day of February next to the redemption of any portion of the City debt, bearing interest at four and three quarters per cent. which may be redeemable before the said second day of February.

Read & laid in Common Council. Came up for concurrence.

Read & concurred.

Treasurer, City stock.

The committee of the City Council on the several petitions of the Mercantile Wharf Corporation, respectfully, Report, That after hearing the petitioners, and considering the resolutions heretofore adopted by the City Council on the 21st of June, & 5th of August, last, they have agreed to the following modifications of the terms of those resolutions.

Mercantile Wharf Corp.

1. That the street called Second street, shall be altered to course nearly parallel with Marginal street.

2. That Second street should terminate at Shaw's wharf, & that a street, at least twenty nine feet wide, should be laid out on the said Shaw's wharf to Sun street, and shall never be closed until Second street be extended to Richmond street, and until a street at least thirty feet wide be also laid out on the east or west side of Shaw's wharf beyond Cross street.

3. That a small variation of Marginal street should be made, whereby it would be determined a few feet farther to the northward at its easterly end. The course of the streets thus acceded to, will appear on Mr. Sullens's plan, dated the 28th of October, last, herewith submitted. The reasons for acceding to

these

these modifications were either that they were unimportant in their general character, or else that they were of a nature, necessary in order to facilitate the objects of the Corporation, which the Committee were satisfied could not be effectuated, unless these modifications were acceded to.

4. It has been agreed, that the City should build the bridge across the Creek, & the Corporation bear the expense. This will ensure that they should be done faithfully & substantially.

5. As your committee found that various doubts & questions might arise upon the obligations mutually resulting under the former resolutions, they have reduced all the agreements made between the City and the Mercantile Wharf Corporation, into the form of a contract, which they herewith submit marked A and which if it receive the sanction of the City Council, will require nothing more to be done on its part than to direct that the Mayor execute the same on behalf of the City, whenever it shall be executed on the part of the said Mercantile Wharf Corporation. All which is respectfully submitted, by order of the committee. Josiah Quincy, Chairman.

Read & accepted, & ordered accordingly. Sent down for concurrence.

Came up concurred, with an amendment to contract. Read and concurred.

Andrews Washington St.

The committee on the petition of Eben. F. Andrews, for remuneration for land taken to widen Washington street, reported, that the petitioner ought to receive one dollar and fifty cents for each square foot of land taken, amounting to four hundred and sixty five dollars in full satisfaction.

For order.

E. H. Robbins Jr.

The foregoing report, read and accepted.

The undersigned to whom was referred the subject of damages between the City of Boston, and Fowle & Lincoln, and Joseph Whitney & Co. for injury sustained by them, in removing their goods, and detention in their business, caused by taking down the front parts, and altering the store occupied by them, have duly considered the subject, and hereby award to the said Fowle & Lincoln and Joseph Whitney & Co. the sum of seven hundred and fifty dollars, to be equally divided between them, in full for all damages which they have sustained by the causes above mentioned.

Wm. Lawrence,
Nathaniel Mason,
Joseph Morton
} Referees.

Boston Oct. 24th 1826.

Fowle Lincoln
Whitney & Co
Washington St

Read and accepted, and thereupon ordered, that the same be paid accordingly.

The undersigned to whom was referred the subject of damages between the City of Boston, and Moses Pond, for injury sustained by him, in taking down the store by him occupied, thereby vacating the lease thereof, do hereby award to the said Pond, the sum of five hundred dollars, in full for all claim which he may have upon the City for damages as aforesaid.

Wm. Lawrence,
Samuel Pope Jr.
Edw.d D. Clark
} Referees

Boston Oct. 24th 1826.

Pond
Merchants Row

Read and accepted, & thereupon ordered that the same be paid accordingly.

Benjamin Howard, & Charles A. Parker, were nominated & appointed firemen of Ward No. 10. in place of Benjamin F. French, & George W. Thayer resigned.

Firemen
Ward No. 10.

Ordered, that the sum of two hundred

Franklin school house

fifty dollars, be and the same is hereby appropriated towards finishing the fence and wall in front of the Franklin School house; and that the same amount be withdrawn from the reserved fund. Passed in Common Council; came up for concurrence.

Reads and concurred.

Bancroft Hay weighing.

The committee to whom was referred the petition of Aaron Bancroft and others, praying, that the ordinance for the weighing of Hay, may be altered, so that the same in future ~~may~~ be weighed by gross hundred instead of net, Reported, that in their opinion, it is not expedient to make any alteration in the ordinance regulating the weighing of hay &c. but as it was stated by the petitioners, that the ordinance was not generally known throughout the Country from which Hay is brought to this city by water the Committee take the liberty of recommending, that greater publicity be given to the ordinance. Thomas Welsh 2. by order of the Committee. Read & accepted. Sent down for concurrence.

Came up concurred.

Dewes Family graves

The Mayor reports, that the board pass the following order, on the petition of S. H. Dewes, superintendent of burial grounds. Ordered; that all persons who may wish to secure the right to a family grave in any burial ground shall place a stone similar to that already required within one month from the burial of the first person of his family, within it, as a condition of the privilege.

J. Quincy, Mayor.

Read accepted and Ordered accordingly.

Faneuil Hall Market.

The committee of both branches of the City Council, on the Extension of Faneuil Hall Market, having executed the great work assigned them by that body, ask leave, respectfully, to make this their final Report.

They have the satisfaction, in the first place, to state that the work is finished; that every known, and, as it is believed, every existing just debt and demand, for land, labour, materials, or services of whatever kind, is settled....

It now only remains for your committee to render an account of their proceedings, to state their receipts & expenditures, and the general result of the whole undertaking.

Before entering, however, upon this task, it will be proper, in order to obviate error, to recall to general recollection some facts connected with the origin and progress of this concern, which will tend to explain the different views which have been, at different times, entertained and made public by this committee and the City Council in relation to it.

The project of an extension of Faneuil Hall Market was presented for the consideration of the City Council, by a communication from the Mayor, on the 31st of July 1823. At that time and for some months afterwards, the proposed improvement, although, then, thought to be of a sufficiently bold and extensive character, was, in fact, small and limited, in comparison with that which time has developed, and which is now executed. In its first conception, the project was limited by the Rice Dock Wharf and Merchants Row on the West, by the estates bounding southerly on the town dock, and including those estates on the north, by the street leading to Bray's wharf on the south. Its easterly limit was restricted to Codman's and Bray's wharves, as then existing. A building

only

Faneuil Hall Market

only four hundred and fifty feet long, supported upon pillars, without Chambers or Cellars, and open on all sides, was the plan proposed for the market house. The first estimates were on this basis. At that time it was not contemplated to connect the Long Wharf with the streets east of the Market house, although it was supposed that, at some future period, it would take place. In many other respects, the first design, in comparison with that which has, in fact, been effected, was of an extremely contracted character. As, however, purchases were made, and as acquaintance with the local relations of estates within the contemplated sphere of operations became intimate, the true interests of the City became better understood. The project was, in consequence, greatly extended. It was carried beyond the ancient course of the Mill Creek. The Roe-buck passage was widened to a thirty five feet street. The great block of stores lying between the street leading to Bray's wharf and dock and Butler's Row, was comprehended in the plan; & last of all, the original scheme was connected with a street sixty five feet wide, leading to the Long wharf. —

During the period in which these changes in the original plan were effecting, a corresponding change took place in the building. A new elevation of the proposed market house, one story high, with Cellars was projected; and upon it a second series of estimates were made, having for their basis the erection of such a building, of the length of about five hundred and twenty feet. — Subsequently, the plan of the Market house now built, was fixed upon; the character and accommodations of which are specified in the document marked I. After the final settlement of the plan, the work was commenced and completed with as much expedition as circumstances and

the

the nature of the undertaking would permit. It seemed proper thus to recur to those facts, attending the origin and first stages of this work, in order that the causes might be recollected and understood, which have occasioned, at different times and at length in the general result, a great difference; both in point of expense and of public convenience and benefit, exceeding any thing, at first contemplated. It soon became apparent to those who had the conduct of the undertaking, that an improvement, unexampled in its general character, and not to be paralleled for its public utility, and its probable financial result, might be effected; and that to this end, it was only necessary for those entrusted with the authorities of the City, to seize the opportunity with a decision and steadiness of purpose equal to the importance of the object, to be obtained, and to the happy concurrence of circumstances, which presented itself. Your committee, therefore, have never hesitated to recommend, from time to time, the extension of this improvement, as the public interest and convenience became gradually developed. Nor has the City Council refused, as it is believed, in any one instance, to sanction their opinion, by granting the authority requisite to carry their purposes into effect. And it is also believed, that there is not one of these recommendations, thus sanctioned, which has not, so far as respects its general character, been ultimately approved by a great majority of our fellow citizens. The spirit, which apparently actuated the City Council in relation to this improvement, has been carefully observed and obeyed by this committee. Under its influence, nothing, which could give a permanent and convenient character to the work, has been omitted. In all their proceedings, the interest and honor of the City have been scrupulously

Financial State

Market

lously considered and followed. They have therefore spared, in the Market house, which they have erected, no expense for convenience suited to such a building. Of the style in which it is finished, & its accommodations and general effect, your Committee will say nothing, as they are well known to the City Council, and their fellow citizens. Whether, in these proceedings, the City Council, and, as their agents, this committee, have or have not consulted the honor and best interests of the City, they cheerfully submit to the decision of an enlightened Community; and whether the expenses incurred, and the debt created by them, be not greatly outweighed by the benefits already experienced, and which must hereafter be more extensively realized, in consequence of the success of this great project, they also cheerfully submit to the decision of the same enlightened tribunal; after the account they are now about to render and the actual results they are now about to state, shall have been considered.—

This committee was first appointed on the ninth of March 1824. Since that period, there has been under their control & disposal, resulting from loans made from time to time, under the authority of the City Council, from sales of lands purchased, from rents, and all incidental sources of every nature, amounting to the gross sum of One Million, one hundred forty one thousand, two hundred seventy two dollars and thirty three cents. For this sum this Committee are accountable. And for it they account in the following manner, conformably to the City Auditor's statement marked A, hereto annexed. This sum has been expended in the following proportions, so far as it was practicable, in a general work of this character, to separate expenditures among distinct objects.

For purchasing estates, paying tenants, for removing and surrendering

rendering leases, surveying and drawing plans $8[illegible]9, 134, 69.
Professional services of sundry Counsel, for investigating titles, drawing deeds, services before referees, & before Courts, including all charges connected with legal business. 2, 351, 63
Filling docks and streets to the grading level. 12, 378, 78
Paving and finishing streets. 11, 598, 64
Common Sewer, reservoir, well and pumps. 2, 484, 13
Erect'g New Market House, incl. all materials, labor & services of Architect, 110, 158, 75
Interest paid on stock issued, & on all moneys borrowed, from the commencement of the improvement up to this time. 46, 079, 84
Miscellaneous expenditures including salary for Superintendent, charges on auction sales, services of watchmen, & other small items 6, 365, 87
Making the above sum for w[hich] the committee are accountable. $1,141, 272, 33

It appears by the said annexed statement of the Auditor marked A, that the above expenditures have been made from the following general sources.

1. By the issue of stock, being the present amount of the debt incurred by this committee in the extension of Faneuil Hall Market, and, all the improvements connected therewith. $608, 475, 00

2. By Cash, being the amount of moneys received from various sources specified in the Auditor's statement marked B hereto annexed, 532, 797, 33
Making also the above stated am[oun]t for w[hich] this com[mittee] now account. $1,141, 272, 33

By the above statement it appears that the proceedings of this committee have created a City debt amounting to the sum of $608, 475 00/100.

It remains for this committee to show the funds their proceedings have provided, and which have been delivered over to the Treasurer, and vested in the City, for the extinguishment of this debt; and the equivalent their proceedings have also provided for any balance of the above debt, which may remain after deducting the amount of the funds thus delivered over. Under this head they state, that they have placed in the hands of the Treasurer of the

City

Faneuil Hall Market

City, as appears by his receipt annexed, marked (F) in notes of hand; all of which amply secured by mortgages the sum of $210,709.89.

They have also transferred to him a perfectly good, but uncollected demand for stalls sold, amounting to 613,37

In addition to this, as appears by the statement of the City Treasurer marked (G) the City have already received, in interest on moneys heretofore loaned by this Committee to the Treasurer the sum of 3,945,53

Constituting a gross available fund, ~~delivered~~ amounting to $224,270,74 delivered over to the City by this Committee.

In this connection your committee further state that they have vested in the City, by their proceedings, a tract of land, lying north of the block of stores on North Market Street; and which the City have now for sale, situated in the following manner, and having the following marketable relations.

This tract of land bounds northerly on Ann street, sixty eight feet; westerly on Merchants Row near the northerly entrance of the Roe buck passage sixty one feet; southerly on a new street to be laid out under a resolution of the City Council, forty feet wide, in the rear of the said block of stores on North Market street, there measuring two hundred sixty feet. The above forty feet street being connected with a new street called Second street fifty feet wide, leading to Shaw's wharf, or Richmond street. This Committee have also vested in the City two other tracts of land, in the vicinity of the former, and situated on the opposite side of the Mill Creek, each bounding on the last mentioned fifty feet street; the one seventy eight feet, and the other forty feet. An inspection of the plan of those tracts will satisfy any one, of their great and increasing relative value. They contain seventy six thousand, five hundred and seventeen feet of land;

are

Faneuil Hall Market

are capable of being laid out into fourteen or fifteen store lots, some of them little inferior in point of value to any in the City, and all of them of great marketable value.

After consultation with several gentlemen conversant with the present value of real estate, your Committee have concluded to estimate them at four dollars the square foot — a price which, considering the above circumstances, and also having in view the great advantage the City possesses in selling lots of this kind, in the extension of the time of payment, it cannot reasonably be questioned these lots will produce. They therefore estimate them short of that price viz. at One hundred thousand dollars.

Under the head of funds available for the extinguishment of the City debt created by the proceedings of this Committee, they further state that their said proceedings ~~of this Committee~~ have vested in the City, wharf rights and flats, lying eastward of the New Market, containing more than one hundred and sixty thousand square feet, which now produce an annual income of six thousand dollars; for which they have been already offered one hundred thousand dollars, but which, in their opinion, are of greater value. In order however to prevent all objection, they estimate the above wharf rights and flats only at the sum mentioned, viz. One hundred thousand dollars. Deeming it unquestionable that both these species of property cannot be estimated by any intelligent and unbiassed man, at less than two hundred thousand dollars the sum at which the Committee estimate them as above.

The result then of the entire operations of this Committee is as follows; They have created a City debt amounting in the whole to six hundred and eight thousand, four hundred and seventy five dollars. $608,475. 00

They have delivered over to the City an available and productive

personal

personal property amounting to . . . . . $224,270.

Faneuil Hall Market

They have vested in the City marketable real property as above stated & described, of the unquestionable value of 200,000.—

All of which may if the City will, be immediately applied to the extinguishment of said debt.

It follows that the only balance of debt, created by this Committee for the payment of which they have not provided funds, amounts to the sum of . . . 184,204.26

$608,475.—

From the preceding statement it also follows, that the only real debt, in which the proceedings of this committee have involved the City; that is, the only debt, for which they have not provided funds, is the above amount of One hundred eighty four thousand, two hundred and four dollars and twenty six cents. In other words the whole cost to the City of all the improvements they have made of the streets they have laid out, of the land under the Market house, and of the Market house itself, is only the sum last above mentioned.

Your committee considering the well known character of this improvement,— its greatness,— its beauty;— above all its convenience and utility, apprehend that it is not necessary for them any further to illustrate the result of their proceedings, or to enter into particular details concerning the nature of the equivalent these proceedings have given to the City, for the actual balance of debt created by them and unprovided for, as above stated.

The simple statement above made, they cannot question will be entirely satisfactory to every intelligent and impartial citizen. When, however, your committee reflect that, in the course of nearly three years, during which this improvement has been in progress, they have had to encounter the doubts of the cautious, the fears of the

timid

timid, the asperities of the interested, and the cavils of the captious, a sense of duty to themselves, to the City Council, and to the community, demands from them a somewhat more enlarged exhibit than that, which they have already given; and one which shall present more distinctly, and in detail, the results resulting from their operations, and the real effects, in a financial view, thus produced on the pecuniary relations of the City.

Amid all the objections and censures, to which from time to time, they have been exposed, they have looked with confidence, to this final result of their labors, for their complete justification. And while, both as individuals and as a committee, they are happy in the consciousness of having executed this great trust, with a strict and single regard, in every instance, to the true interests of the City, swayed by no personal or local favoritism, they deem it their right as well as duty, that all the great benefits resulting from their operations should be known and realized by their fellow citizens. For this purpose they ask leave to state three distinct views of these results.

First view. The committee have involved the City in a debt of one hundred and eighty four thousand dollars. To indemnify the City for this debt; - 1st They have vested in the City a Market house, which has cost, stated in round numbers, the sum of one hundred and fifty thousand dollars. Its style of architecture, general character and accommodations are well known. It has been thought proper, however to annex to this report the architect's specification of particulars; which appears in the document marked (I). - 2nds They have vested in the City six new streets. 1. South Market street, of the width of one hundred and two feet. 2 North Market street, and also 3. a street leading from the Long wharf, each sixty five feet wide.

4th

107. 42 A Street North of the block of stores bounding on North Faneuil Hall Market Street, forty feet wide. 5. The Roe buck passage, widening Market. to a thirty five feet street. 6. A Street south of the block of stores, bounding on South Market street, also forty feet wide.

These streets contain, as appears by the statement of Stephen P. Fuller, Esq. annexed, marked "H." a quantity of land amounting in the whole to one hundred sixty six thousand, nine hundred and thirty five square feet. The land covered by the Market house contains, as appears also by said Fuller's statement, twenty seven thousand, and twelve square feet. Making a gross amount of one hundred ninety three thousand, nine hundred & forty seven square feet of land vested by the operations of the committee in the City, in streets and in the Market lot.

Now your committee state, with confidence, their belief, that, if previously to the commencement of these operations, there had been offered to the City this number of square feet of land laid out in streets, according to their present location, and a Market lot, such as the City now possesses, at the price of one dollar the square foot, there is no judicious man in the City, who would not have gladly acceded to the proposal, and considered it a great boon. In this view of the results of their proceedings then, the committee submit to their fellow Citizens whether they exceed, in any respect, the facts, when they state that their operations have vested in the City, land in streets and in the Market lot, of the value of . . . $193, 947.

From this amount the actual debt, in which they have involved the City be deducted, viz: . . 184, 204, 26

A net balance is left of . . . . . $ 9, 742, 74

of value, in hand, above the actual debt created. In other words, if the committee be allowed to take credit for the land

as above actually vested in the City, the Market house; which cost one hundred and fifty thousand dollars, and which estimated by its rents, as will hereafter be shown, is worth five hundred thousand dollars, is a clear gain to the City; to say nothing of other advantages resulting from their operations.

Second view. In this your committee will have an exclusive reference to a comparison of the annual interest to be paid, and the annual income to be received from the result of all their operations. 1st It appears by the auditor's statement marked (A) that, in the course of their proceedings, this committee have paid all the interest, which has accrued, on stock issued, and on moneys borrowed from the commencement of the improvement to the present time. It follows that not one cent has ever been added to the taxes or burdens of the City, by any of the proceedings of this committee.

2nd Again, it appears by the Auditors statement marked (C) that the whole of the annual interest of the debt, contracted for the City by this committee, is thirty one thousand, six hundred twenty two dollars, and ninety five cents. This then is the whole annual amount of interest, ~~this committee~~ which the City will ever, at any time hereafter, have to pay, in consequence of the debt created by this committee. To meet this annual amount of interest, this committee have provided and vested in the City, the following property, now productive of an annual interest and income as follows viz: 1st The interest annually accruing on the notes transferred by this committee to the City, as appears by the auditors statement (C) $11,109. 23

2. Rents of the floor cellars of the New Market house, 36,000.

3. Annual income from the City Wharf . 6,000.

Thus it appears that an annual income of 43,109. 23

has

Faneuil Hall Market.

has been delivered over to the City to pay an annual interest of thirty one thousand, six hundred, twenty two dollars & ninety five Cents. It follows that, not only, as was just above shown, no addition has ever, as yet, been made to the taxes or burdens of the City, by the proceedings of this committee, but also that, as is now shown, no addition can ever, hereafter, be made to the taxes or burdens of the City, by any of those proceedings. The income they have provided is adequate to pay forever, the interest of the debt they have created.

Third view. The City has been made to incur a gross debt, by the proceedings of this committee amounting to $ 608. 475.—

This debt bears an annual interest as above stated of 31. 622. 95.

This is the whole burden cast upon the City by their entire operations. As an offset and full equivalent for this burden, your committee finally state, what they apprehend to be the fair financial view of the results of their proceedings.

1. They have vested in the City a market house, and lot of land covered by it, which now produces an annual rent, notwithstanding only its lower floor and cellars have as yet been leased, of the sum of twenty six thousand dollars.

Nor can it be questioned, when the remaining rooms and chambers shall be leased, as they readily may, unless the City choose to retain them for purposes of a more general character, that they will produce the sum of three thousand dollars.—

In other words the whole Market house may easily be made to produce a sum equal to twenty nine thousand dollars.

An income of this kind, derived from such a real estate, abundantly authorizes this Committee to state the value of the Market house considered as a productive property at five hundred thousand dollars. . . . . $ 500. 000.—

Amount brought over . . . . . $ 300, 000. —

2. They have vested lands in the City, as hereinbefore stated, lying north of the block of stores bounding on North Market street, of the value of . . . . 100, 000. — Faneuil Hall Market.

3. They have also vested in the City wharf rights & flats, as above stated, of the value of 100, 000. —

4. They have transferred in good notes & demands, to the City Treasurer, on this receipts, doc.ᵗ F & G, the sum of 220, 323, 19

And a balance of interest due from the City to this Committee, of 3, 945, 55

The committee, therefore, confidently state, the fair value of the real & personal property, vested by their proceedings, in the City, to be the sum of $ 924, 270, 74.

If from this be deducted the amount of the City debt, created, as above stated, amounting to 608, 475.

It follows, that there remains a balance amounting to $ 315, 795, 74

This balance, your committee apprehend is, on a fair estimate of the real value of the property transferred, or vested by them in the City, a clear gain to the City, after payment of every debt incurred by this committee; without taking into view - or claiming any allowance for land in streets, or other incidental advantages, accruing from this improvement. A scarcely less favorable result to the finances of the City, will arise from a comparison of the income justly to be expected from the whole amount of property thus transferred to, and vested in, the City, with the annual amount of interest the City will have to pay on the debt created by this committee. The annual amount of present income derived from that property has been shown to be $ 43, 109, 23.

To this will be added, whenever the Chambers of the New Market house shall be leased, a sum certainly not less than 3, 000.

Amᵗ carried over 46, 109, 23

Amount brought over ..... $ 46,109. 23

Faneuil Hall Market. And also, whenever the land north of the north block of stores above mentioned, shall be sold, for interest upon the estimated sales ..... 5,000.—

The income to be reasonably expected to be derived from the whole property above mentioned, will amount annually to 51,109. 23

If from this amount be deducted the amount of the annual interest accruing on the City debt created by this Committee 31,622. 95

There will remain a clear balance or excess of annual income, after paym.t of the whole annual interest on that debt, amount.g to $ 19,486. 23

Last of all. It appears by the auditor's statement marked (D) that the whole funded debt of the City, exclusive of that created by this Committee, amounts to the sum of ..... $ 384,800.—

It appears, also, by the same statement, that the annual interest paid on said debt, amounts to the sum of ..... $ 18,508.—

It follows from the preceding facts, that the excess of the fair estimated value of the property transferred to, or vested in, the City by this Committee, after the debt it has created is deducted, amounts to a sum not far short of the whole remaining debt of the City; bearing to it the proportion of 315 to 384.—

It also follows, that the excess of the annual income, remaining, after payment of the annual interest on the debt created by this Committee, is more than sufficient to pay the entire interest of the remaining City debt. In making these statements your Committee have not considered, nor made any account of the objection, that the income, formerly received from the old Market, should be deducted from the income now received from the new; because they deem it neither solid nor reasonable. The real property formerly occupied as a market, remains in the City; and is capable of being applied to uses probably as productive as the former were.

The

The whole income from the old market, amounted, on an average of four years, as appears by the Auditor's statement marked F. 1. a sum little exceeding twelve thousand dollars. It cannot be questioned that Faneuil Hall lower floor, may be made to produce annually a sum nearly, if not quite, equal to $6,000. The square on the west front of Faneuil Hall, where the mutton stalls formerly stood, is capable of a proportional productive occupation. The same may be said of the land east of Cain's block, formerly occupied by fruit dealers. This & other real estate belonging to the City, in that vicinity, which has been by these alterations relieved from its former occupation, and made free for other uses to the City may be made probably, productive of an income equal to the former receipts from the old Market. If the City choose to keep these spaces open for purposes of health, convenience or ornament, no reason thence arises for deducting any thing on account of the amounts formerly collected in the old market, from the receipts now actually accruing in the new. Nor have your committee taken any particular notice in this report of the land in front of Hammond's and Faxon's stores, for trade in the square, nor of any contested and disputable right the City formerly possessed in the Town dock, because their market value of that land was wholly derived from the alterations of this committee. Nor, on the other hand, have they claimed any credit for having struck through the Row brick passage, and a street to the Town Wharf, for the general accommodation of the citizens, and particularly of those in the north section of the City, nor for common sewers, reservoirs, pump and well; nor for land thrown into the street to widen Merchants Row, in front of the new market and South block of stores. All these, though properly chargeable to the general funds of the City, have been paid out of

Faneuil Hall Market.

those

113. those resulting from this improvement, and are more than an equi-

Faneuil Hall Market. valent for any marketable value existing in the docks and squares above alluded to, previous to its commencement. The City Council will perceive that the sole object of the Committee in this report, is, to account for the funds, with which they have been entrusted, and to state, distinctly, the results of all their operations. Neither minor local rights, which the City formerly possessed in the sphere affected by this improvement, nor minor local advantages, derived from the proceedings of this committee, are objects important enough to be estimated in this report. The purposes of this Committee will be fully answered, if they shall satisfy their fellow citizens of the beneficial effect of this undertaking, on the pecuniary relations of the City; and that its financial, is not less satisfactory, than its local and architectural result. — If the great body of our fellow citizens shall be satisfied, as it is believed they will, that this noble improvement has been completed, not only without any addition to the present taxes or burdens of the citizens but also, without the possibility of any addition, in future time, on this account, to their taxes or burdens; and, on the contrary, that it has augmented, in no inconsiderable degree, the real and productive property of the City; — all the objects your committee proposed to themselves, in this elucidation, will have been attained. In conclusion, they will only add, that they claim for themselves no peculiar merit on account of the greatness of these results. They were the consequence chiefly of temporary and local circumstances, of which the City Council had the good fortune to take advantage. Your committee claim no other merit than what arises from fulfilling with earnestness & fidelity, the trust reposed in them. The success of this undertaking is chiefly attributable; first, to the unshaken firmness & unanimity with

which

which every succeeding City Council, since its commencement, have pursued and enlarged the original design. Next, and above all, to the favor, with which, at an early period, it was received by the great body of our fellow citizens in Faneuil Hall; and the encouragement and confidence, which they have extended to this committee, in every stage of its progress.

Signed by the unanimous order of the committee.

Nov. 13. 1826. Josiah Quincy, Chairman.

In Common Council read and accepted, and thereupon ordered, that the same be printed in the newspapers and that seven thousand copies be printed and distributed for the information of the Inhabitants. Came up for concurrence.

Read and concurred.

Petition of Samuel A. Wells, praying, that a portion of Mr. Bryant's bill, for Mason's work, also Josiah Souther's proposition of bill for Carpenters work, at the Petitioners house on Summer street, amounting in the whole to one hundred and forty one dollars, be allowed and paid by the City. Read and the prayer thereof granted. Wells Summer street.

The Mayor reports, on the communication of the Superintendent of burial grounds in relation to Tombs at South Boston, sold some time since to Messrs. Cyrus Alger and Enoch Woodward, that the demands against them be referred to the Auditor of accounts, with instructions to call on them for payment. Tombs South Boston.

Read and accepted.

Adjourned to Monday next, six o'clock P. M.

Monday November 27th 1826.

Met according to adjournment.

Present. The whole board, except Aldermen Bellows & Robbins.

Rufsell & Davis
Faneuil Hall

The application of Benjamin Rufsell Esq. and a number of citizens, for the use of Faneuil Hall on the evening preceding the next election of the City officers; and also the application of John Brazer Davis, Esq. as Chairman of the Republican County Committee, for the use of Faneuil Hall on the same evening, being read and considered thereupon ordered, That Faneuil Hall, and the westerly wing of the Hall over the new Market house be opened, for the use of the Citizens respectively represented by those gentlemen on that evening, and that Mr. Rufsell & Mr. Davis decide to whom the occupancy of each shall belong, by ballot or otherwise, as they may agree.

Greene
Common street

Gardiner Greene's application for remuneration for land taken to widen Common street, and digging down Pemberton's hill, and the damage attending the same. Read and committed to Aldermen Welsh and Loring, to consider & report.

Bumbeck
Hull street.

Petition of Edward Bumbeck and others, praying, that they may be remunerated for damage said to be sustained by them, in consequence of levelling Hull street, and laying their side walks. Read and committed to Aldermen Marshall and Oliver, to consider and report.

Common Council
Pres. pro tem.

Mr. Grosvenor came up with a message to inform this board, that the Common Council had made choice of Charles P. Curtis, Esq. as President pro tempore.

Application of the Directors of the house of Industry for an Engine house and Buckets for that establishment at South Boston. Read and committed to the Committee on the fire department, to consider and report. House of Industry.

Order of the Common Council committing the petition of Stephen Higginson, praying remuneration for damage to his estate in Summer street, in consequence of the lowering said street, Belknap and Pinckney streets to Messrs. Bapsell, Perry, Barnard, Mayer and James, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Marshall, Oliver and Loring are joined. Higginson Summer, Belknap, Pinckney Streets.

Petition of William Phillips, Esquire, and others, praying permission to erect over the tomb of Josiah Franklin and Abiah his wife, in the Granary burying place, a monument, which was originally erected by their son Dr. Benjamin Franklin, and which has gone to decay and the inscription, by the lapse of time has become almost illegible. Read and committed to the Mayor, Aldermen Welsh and Oliver, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Brooks, Barnard, Hallet and Perry. Phillips Franklin Monument.

It appearing that notice has been given, agreeable to the order passed at the last meeting on the petition of Oliver Reed, and others, praying, that the lamp in Inn street, between the head of Lewis's wharf and Fleet street Reed Inn Street.

may

may be taken up and relaid. And now no persons appearing to object. It is thereupon ordered, that the same be done under the direction of the Mayor & Mr. Patterson.

Wales
Sea Street

Petition of Thomas B. Wales, praying, that the report of the committee and the order thereon, may be so far modified as that the side walks in Sea Street may be made nine feet wide instead of twelve. Read & thereupon resolved, that the whole board unite, meet in said street, tomorrow at 12 o'Clock, M.

Bowditch & Cummings
Washington St.

The committee on the subject of damages to Messrs. Bowditch & Cummings, reported, that said Bowditch & Cummings be paid sixty dollars, in full for all damages which they sustained in consequence of widening Washington Street, and the removal of a part of their premises. Read & accepted.

Davis

The committee on the petition of Joshua Davis, praying, that a street of thirty feet wide be laid out from the east side of Washington Street, and offering to give some land of his to help make the same - Requested, to be discharged, from any further consideration of the subject, at the request of the Petitioner. Read and accepted.

Wight
Neck lands

Resolve of the Common Council, authorizing the Mayor to execute a deed to Charles Wight, of a lot of land, in the street laid down in S. D. Fuller's plan of the Neck lands, on Northampton street, not within six hundred feet of Washington street, which plan bears date October 24. 1825. at the price of ten cents a square foot, ten per cent. of the purchase money to be paid in cash, and the

residue

residue secured by note and mortgage, payable in ten years, with interest annually, at six per cent. The following conditions to be inserted in the deed. 1st. That all water courses leading to said land shall be laid under ground, of such depth and dimensions and secured in such manner as the Surveyors of highways shall in writing direct. 2nd, That all race ways and water courses leading from said land shall be laid under ground, and shall follow the centre of the streets as laid down on said plan, shall not be more than four feet wide, and shall be secured to the satisfaction of the Surveyors of highways and that the City shall have the right of using said water courses or raceways as common sewers, if the Mayor and Aldermen see fit. 3rd, That all ways which may be necessary for the convenience of said Right shall be made and kept in order by him at his own expense.

Came up for concurrence.
Read and concurred.

The committee of the City Council, Greenough
to whom was referred, the petition of David Greenough, praying, that the amount of taxes assessed upon the estate, commonly denominated the Province House estate, and paid by him, for several years past, may be refunded to him, and that such measures may be adopted as shall secure him from similar assessments in future, have attended to the duty assigned them, & ask leave to report. That said committee find that said estate was granted by the Legislature of this Commonwealth to the Massachusetts General Hospital, to hold in fee simple Feb. 23. 1811. On the 1st of April 1811, said Corporation demised said estate to said Greenough, to hold for the term of ninety nine years; the

tax

1819. tax act for the year 1819, and every tax act since passed, contains a provision that "the Massachusetts General Hospital shall not be assessed for any real or personal estate belonging to the same" Upon this provision said Greenough relies to enable him to claim indemnity for the past and exemption for the future. It does not appear that the Petitioner is entitled to any particular, equitable consideration, in the relations existing between him as the tenant of said estate, & the City of Boston, whatever pledges the Massachusetts General Hospital may have given to him, that said estate should never be taxed, that Corporation may redeem if they please. The claim set up is one of great importance, the amount of property is large, and the exemption contended for may last nearly a century. Your Committee cannot, therefore, feel justified, in proposing to the Council a grant of the prayer of the Petitioner, unless a very clear case is made out in his favour. It is very apparent, however, that such a case is not presented, and it is confidently apprehended that the Petitioner cannot derive any benefit from the aforesaid Clause of the tax act. Your committee, therefore, after due consideration of the subject recommend that the petitioner have leave to withdraw his petition, and be left to take his remedy at law, if he chooses further to agitate the question.

For the committee N. & T. Loring, Chairman

Read and accepted. Sent down for concurrence.

Came up Concurred.

Barry

The committee to whom was referred the petition of William Barry, and others, praying, for an abatement of their taxes, ask leave to report, That the subject of abating taxes does not belong to the City Council, but is transferred;

to

to the permanent and assistant assessors, as will appear by the ordinance passed by the City Council December 19th 1825. In consideration thereof of the above, your committee recommend that the Petitioners have leave to withdraw their petitions, and that the ~~petitioners~~ ordinances on the subject of taxes passed as above mentioned, be again published for the information of the Citizens in general. All which is respectfully submitted. Per order,

Daniel Carney.

Read and accepted. Sent down for concurrence.
Came up concurred.

George S. Sawyer was nominated and appointed Constable of the Watch in place of Samuel Hancock, resigned. Constable of Watch

The committee of the Northern district reported, Mr. J. P. Fuller's statement relative to the land east of Pond street, and also the plan accompanying the same. Read and committed to the Mayor, Aldermen Marshall and Oliver, to consider and report. Pond Street

The Auditor of accounts, statement of the appropriations and expenditures, as they now stand. Read and sent down. Appropriations

Ordered, that the Committee of the Southern district, remove the edge stones and complete the side walks near the Franklin School house on Washington street. Washington Street

Adjourned to meet in Sea street, tomorrow twelve o'clock, M.

Tuesday November 28th 1826.

Met according to adjournment.

Present The whole board except Aldermen Welsh & Robbins.

Sea Street

The board viewed Sea street, & thereupon ordered, that the former order of this board, be so far amended, as that the side walkes in said street be nine feet instead of twelve; but this vote in no wise to exonerate the abuttors from keeping the sides ~~walks~~ of said street to the extent of fourteen feet on each side, according to the former order of the City Comcil, in the same way and manner as if said side walkes had been ordered to be made fourteen feet wide.

Adjourned to Monday next, six o'clock P. M.

Monday December 4th 1826.

Met according to adjournment.

Present The whole board.

Boston & Roxbury Mill Corp.

The joint committee to whom was committed the subject relating to the boundary lines between the City lands and those claimed by the Boston and Roxbury Mill Corporation, with authority under certain restrictions and limitations to settle the same, Reported, that they have held several meetings on this important subject without being able to come to any agreement with the Corporation. They therefore request to be discharged from any further consideration of the subject. Read and accepted and ordered accordingly.

Sent down for concurrence.

Non concurred, in Common Council.

1822.

Ordered, That the City Clerk issue Ward Meetings.
Warrants for the meeting of the Inhabitants in their several Wards on Monday, the eleventh instant, at ten o'clock A. M. in the election of Mayor, Aldermen, Common Council men, and such other officers as are required by law. And that it be recommended in the warrants, that the Poll be kept open for the election of Mayor and Aldermen until three o'clock PM.

Ordered, That the Assessors cause Voting lists.
the voting lists to be corrected by their books, prior to the said election.

A communication was received from a Committee of the Common Council relative to messages between the two Boards. Read and thereupon Ordered, That hereafter all messages from one branch of the City Council to the other, shall be transmitted in writing by the Clerks of the respective Boards. Messages.

Sent down for concurrence.

Came up concurred.

Several applications of John B. Andrews and Thomas Somes, claiming pay for land belonging to them, taken by the Surveyors of highways to widen High street. Read and committed to Aldermen Bellows and Robbins, to consider & report. Andrews Somes High street.

The committee to whom was referred the Memorial of William Payne, President, and in behalf of the Boston Mill Corporation, Resolved, That by the Indenture made between the town of Boston and the said Mill Corporation on the 24th of July, 1807, it is among other things agreed, that the canal & streets shall be finished & fit for using Boston Mill Corporation. Charlestown & Causeway streets.

at

Boston Mill Corporation

at the expense of said Proprietors." And the Corporation in their said memorial dated the 30th of October last, state, That Charlestown Street and Causeway Street are so finished and done, for reasons therein stated, that the same may be now accepted by the City. Your committee having heard the memorialists and examined the premises, and having caused Thorton J. Fuller, Esq. Surveyor of the City to report upon the same, which is annexed marked A, are of opinion that Charlestown and Causeway Streets have been built of good materials, and such as are calculated to make a solid and permanent road. They also find, that a part of each street is as high, and a part of Charlestown Street somewhat higher than the Probate having been. They also find that a part of both is lower than that level. It has also been made apparent to your Committee that it would be to the interest of the City to have some further filling on for the present and they are therefore of opinion that if the said Mill Corporation will execute a satisfactory agreement to the City obligating themselves at any time within two years to lay upon the said Streets in such parts as the Mayor and Aldermen may direct, a quantity of good earth not less than six inches in depth for the whole breadth of the intervening part of said Streets, and not less in the whole than one hundred feet in length, & if they shall also agree that the proprietors of the land abutting on said Streets shall be holden from time to time, as they build, and as they may be required by the Mayor & Aldermen, to fill up and pave the space destined for sidewalks to the distance Central line of said Streets, that then it will be expedient for the City to accept the same; and for this purpose they report a resolution to carry into effect the premises above recommended. All which is respectfully submitted by

order

order of the Committee. Josiah Quincy, Chairman.

Resolved, That whenever the Boston Mill Corporation shall cause to be executed a satisfactory agreement obligating themselves, at any time within two years, to lay down Charlestown and Causeway Streets, and on such parts of the same as the Mayor and Aldermen may at any time within two years designate, a quantity of earth sufficient to form, not more than six inches in depth, for the whole breadth of the travelling parts of said streets exclusive of sidewalks, and not more than four hundred feet in length in the whole; and shall also, in like manner agree, that the proprietors of land abutting on said streets, shall be holden, from time to time, as they build and as they may be required by said Mayor and Aldermen to fill up to their satisfaction all the spaces destined for sidewalks to the highest central line of said streets, and shall insert a condition to that effect, in all deeds to abuttors that they this board will forthwith accept the said streets and discharge the contract of said Boston Mill Corporation, so far as the same includes and has reference to the finishing said Charlestown and Causeway Streets fit for paving. Boston Mill Corporation

A.

To the committee of the board of Aldermen to whom was referred the memorial of William Payne, President of the Boston Mill Corporation,

Gentlemen,

I respectfully submit the following statement relative to Charlestown and Causeway streets. They are both as far as I have observed filled up with good solid earth and mud from the flats, and on a good foundation the flats under Causeway street are very hard, and those under Charlestown street at the northerly end also being very hard, the clay part being through the soil will bond, have therefore not been able

to ascertain so certainly the situation and hardness of the flats under that part of said Charlestown street; but it does not appear to settle points at present. The southerly end of Charlestown street is above the levels it will be required to have it for the purpose of paving; the centre is somewhat below, and the northerly end about the right level. Also the westerly end of Causeway street for a short distance is above the level it would be required for the pavement; the other parts are very near the right level, and both streets will require repairs with gravel before the streets will be in a situation to be paved; which I think will be amply sufficient to raise them throughout to the paving level. I have gone in this statement on the supposition that the levels lately adopted by the board of Aldermen are to be the levels of the streets when paved. Horton J. Fuller surveyor

The foregoing report read & accepted, & the resolve passed.

Johnson

The committee to whom was referred the communication of John W. Davis, Esq. Clerk of the District Court, for the District of Massachusetts, on the subject of the value of the estate of John Johnson, situated on Bulfinch street and South Russell street, in the City of Boston, and sold by him to Asa Richardson, in the year 1821, beg leave to report, that they have examined the estate in question, and are of opinion that it was not worth in that year more than one thousand, five hundred dollars, and that at the present time, it could not be sold for more than sixteen hundred dollars. The committee take the liberty of adding, that Mr. Asa Richardson to whom Johnson sold his estate in 1821, is a man of property and good standing, in this community, in point of character, and that they have no doubt, that the sale of said estate by Johnson to him, was

a

a bona fide transaction. Thomas Welsh, Jun. Chairman. 426.

Read and accepted.

The committee on the petition of Ruth Rand. Rand, reported, that it is inexpedient to grant the prayer of her petition, she having been compensated, by the former grant, in damages for her land taken. Read & accepted.

Samuel Beals and James Hendley were Sealers of weights, nominated and appointed sealers of weights and measures.

William Fisk was nominated & appointed Sealer of Sealer of coal. coal baskets, with authority to seize all baskets baskets. not duly sealed, and to carry into effect the law upon the subject of regulating the sale of Charcoal.

Ordered, that Mr. S. P. Fuller be requested Ann street. to complete the survey and plan of Ann street, and lay the same before this board.

Adjourned to Monday next, six o'clock P. M.

Special meeting.

Wednesday December 6th. 1826.

Present The Mayor, Aldermen Bellows, Marshall, Welsh, Oliver and Loring.

Resolved, that this board adjourn, to meet Voting lists at the Selectmens room, tomorrow, at nine o'clock A. M. and proceed forthwith, with their aid to make and complete the voting lists.

Resolved,

1827. Resolved, That the Mayor be authorized to call in aid any of the assistant assessors whom he may deem necessary for the above purpose.

Adjourned to the above time and place accordingly.

Thursday December 4th 1826.

Met according to adjournment, at the Assessors room in Faneuil Hall.

Voting lists. The board with the assistance of the Assessors and several of the assistant assessors, examined the Assessors books, and the lists made out and completed the voting lists.

This examination occupied the whole of this day, and part of the next, December 8th And the Mayor, Aldermen Bellows, Marshall, Loring and Oliver, as a committee were directed to make a statement to their fellow citizens, in relation to the voting lists, and to publish the same in the papers in which the ordinances of the City are published. —

Adjourned to Monday next, 3 o'clock P. M.

Neck lands The committee on Neck lands, who were directed, pursuant to the vote of the City Council of February 27th to offer for sale by public auction, any number of lots, not exceeding twenty five, of the City's land, having performed the duty assigned them ask leave to report, that the sale was had upon the premises agreeable to public notice given in the newspapers of the City, on the 13th of April, last past, at 3 o'clock P. M. and

1/3. This should have been recorded under date of June 6th fol. 221. but was omitted this mistake.

the

The following Statement shows the result 1826

Sol	No.	2	Edward H. Robbins, Jr.	5640	29	$1635. 60
"	"	3	Nathaniel Curtis	5640	26	1494. 60
"	"	5	John Bellows	5520	22	1214. 40
"	"	6	Ditto	6000	22	1320. —
"	"	7	Ditto	6000	22	1320. —
"	"	18	Young & Mayo	4000	10	400. —
"	"	19	Ditto	4000	9	360. —
						$ 7744. 60

Per order. Dan. Carney.

Read and sent down

Monday December 11th 1826.

Met according to adjournment.

Present The whole board.

The Mayor as Chairman of the Committee of the board on the subject of the voting lists, Reported, that he had made the publication as directed in the proceedings of the 8th instant. Voting Lists

The several petitions of Goodman, Goodman & Saville, Elah Sewall, William Boardman, William A. Kent, and Pliny Cutler in behalf of the heirs of Reza Thacher, Boardman, that the damage may be awarded and determined, in con Kent & Cutler sequence of the widening Merchants Row. Read & committed Merchants Row. to Aldermen Bellows & Robbins, to report a statement of facts. Goodman & Saville Elah Sewall

The Mayor communicated two Copies of Process or Petitions commenced and prefered to the next Com' of Common Pleas, in favour of Downer & Baldwin against the City Downer & Baldwin

for

for damages in consequence of cutting off part of their land and buildings to widen Merchants Row. Read and referred to Messrs Welsh, with instructions to appear in behalf of the City, before said Court, and defend the same.

Brooks
Chase st.

The committee on the petition of Paul Brooks, for compensation for land taken to widen Chase street, reported, That he be allowed one dollar and fifty cents, for each square foot, amounting in the whole to twenty two dollars and seventy five cents. Read & accepted.

Parkman
Summer st.

Petition of Lewis Parkman, praying, That the City would pay for a small piece of land, thrown into Summer street, by the former proprietors of the same. Read and thereupon resolved, That it is inexpedient for the City to take and pay for said land.

Lincoln
Portland st.

Petition of Henry Lincoln and others, praying, That the common sewer in Portland street, may be taken up and relaid, and the expense thereof apportioned according to law. Read and thereupon ordered, that all persons interested be notified to appear before this board on thursday next, half past three o'clock P. M. and shew cause if any they have why the prayer of said petition should not be granted.

Colling
Washington st.

Petition of Amos Colling, Agent for Proprietors of estates in the vicinity of Foy's buildings, praying, That the common sewer in Washington street, near Land street be taken up and relaid and the expense thereof apportioned upon those who shall have benefitted thereby. Read and thereupon

Passed,

Ordered, That all persons interested be notified to appear before 1830.
this board on Monday next at six o'clock P. M. and show
cause if any they have, why the prayer of said petition should
not be granted. —

Whereas the Boston Mill Corporation Causeway
has executed to the City a satisfactory obligation for raising Causeway Charlestown
way and Charlestown streets agreeable to a resolution of this streets accepted.
board passed on the 4th instant Therefore Resolved, That
the said streets and each of them be and they are hereby
accepted, and taken to be public streets, and highways of said
City; and that the Mayor be authorized in behalf of the
City to execute to said Corporation a release of all obligations
executed by said Corporation to said City before said day, so
far as the same include and have reference to the finishing
said streets fit for paving.

Ordered, That the Superintendent of Washington Street
streets be directed to place a post and guide board thereon, guide boards.
with the direction of the law of the road "Keep to the right"
on the easterly side of Washington street opposite the store
of J. D. & W. Williams, and also one at the line between this
City and Roxbury on the westerly side of said street.

William Prince was nominated & Auctioneer
appointed an Auctioneer.

Adjourned to Thursday next, half past three o'clock
P. M.

Special meeting.

Tuesday December 12th 1826.

Present The Mayor Aldermen Bellows, Marshall, Otis and Loring.

Mayor

The board proceeded to examine the returns of votes from the several wards given in yesterday for Mayor of the City of Boston, and they found the whole number of votes to be ..... 5,049.

Necessary for a choice 2525.

The Honble Josiah Quincy had 3163.

and is duly elected Mayor of said City the year ensuing.

Aldermen

The board also proceeded to examine the returns of votes from the several wards for Aldermen, and found the whole number of votes to be ..... 5064.

Necessary for a choice ..... 2533.

John Bellows ..... had ..... 2981.

Thomas Welsh, Junior " ..... 1823.

John T. Loring ..... " ..... 3028.

Jeremiah S. Boies ..... " ..... 2926.

Robert Tennelly ..... " ..... 1751.

Cyprus Alger ..... " ..... 1925.

Thomas B. Wales ..... " ..... 3005.

James Savage, Esquires " ..... 3043.

And they are chosen.

Ordered, That the City Clerk publish the foregoing in the newspapers, and that the several Gentlemen elected be notified of their appointment.

Appropriation

Order of the Common Council directing that the further sum of six thousand dollars, be ap-

Town [illegible] ratified

propriated

propriated for the maintenance of the poor in the House of Industry and that the same amount be withdrawn from the reserved fund. Came up for concurrence.

Read and concurred.

Adjourned to Thursday next half past three o'clock P. M.

Thursday December 11th 1856.

Met according to adjournment.

Present The whole board except Alderman Bellows.

It appearing to this board that notice has been given agreeable to the order passed at the meeting of the board on Monday last, on the petition of Henry Lincoln & others, praying that the common sewer in Portland Street be taken up and relaid and the expense thereof apportioned according to law. And now after a hearing of the parties interested it is thereupon ordered that the prayer of the petition be granted and referred to the Mayor to see it executed under the direction of W. Pattenson. Lincoln & others Portland St.

On motion of Alderman Marshall, Ordered that all hand cart men licensed to stand in South Market Street shall take their stands east of the arch of the south block of stores and adjoining the side walk in said street, and stand in pairs before such stores as the occupants may request, and all licenses for South Market Street west of said arch be revoked. Handcartmen S. Market Street.

Ordered that all licenses for hand cart men in Elm and Union Streets be revoked and that no hand cartmen be permitted to stand in either street. Elm & Union Streets.

Ordered,

433. Ordered, That the Clerk of Faneuil Hall Market cause the persons interested to be notified of the above orders and see them carried into effect.

Wood measuring.

The committee to whom was referred the petitions of William Fiske and others, praying, That the fees for measuring wood may be altered to one cent per foot, Reported, That it is inexpedient to make the proposed alteration, they however are of opinion, That the fees for measuring wood are insufficient to induce competent and responsible men to undertake it, they therefore recommend the acceptance of the following order viz:

Ordered, That from and after the first day of January next, the fees for measuring wood and bark shall be eight cents per load. Read and passed, and ordered accordingly.

Bread

An ordinance to prevent the adulteration of bread. Came up for concurrence. Read and non concurred.

Voting lists.

On motion of the Mayor. Ordered, That the Mayor be a committee to superintend the making out lists of all the Citizens of each ward qualified to vote in elections, in the manner provided in the City Charter, & for this purpose to have the aid and assistance of all assessors and other officers.

Adjourned to Monday next, six o'clock P. M.

Met according to adjournment.

Present The whole board, except Aldermen Bellows and Robbins.

Petition of the Boston Mill Corpn. praying, that a committee may be appointed to confer with said Corporation, relative to building bridges over the Canal. Read and committed to Aldermen Marshall and Oliver, to consider and report. Boston Mill Corpn.

Petition of Charles Jersey, to purchase a small piece of land belonging to the City in Essex Street. Read and committed to the Mayor and Aldermen Jackson with such as the Common Council may join, to consider & report. Sent down for concurrence. Came up concurred & the Common Council joined on its part Messrs. Hastings, Fuller and Dyer. Jersey Essex Street.

The committee who were directed to ascertain whether any encroachments had been made upon the City lands near the Gun house on Fort hill, Report, That the late William H. Boardman, whose land adjoins that of the City, erected two tenements fronting Thorn on or very near the line, about ten years ago, and placed a fight since in front so as to enclose upwards of a hundred feet of City land, at the same time demolished the old brick fence opposite. The small tenement which had stood where the line ascends of, thirty years, the posts of which being cedar, the bottoms are still to be seen. The land encroached upon is the same which was granted by the town in August 1810. to the Third Company of Artillery for the erection of a gun house, as will appear by the town records. The heirs of the late Wm. Boardman do not Fort hill Boardman City lands

claim

claim the fee of the land which he inclosed, but contends that they have acquired a right of way over it. Your committee are of opinion, that they have acquired no such right, & therefore recommend, that this committee be directed to demolish the eight fence, which now stands on the City lands in front of said tenements, and erect a fence on the true line forthwith. All which is respectfully submitted. Francis Jackson for order.

Read and accepted, and ordered accordingly.

Greene
Common street

The committee to whom was referred the claim of Gardiner Greene, Esquire, have attended to the duty assigned them, and ask leave respectfully to report, That it appears, by the order of this board, there has been taken from Wm. Greene's estate on Pemberton's hill in the process of widening Common street, a strip of land extending along the whole front of said estate, and containing nine hundred and twenty three square feet, according to the survey made by S. P. Fuller. This land your committee estimate to be worth two dollars the square foot, or eighteen hundred and forty six dollars. It also appears from documents placed in the hands of your committee that Wm. Greene has expended in taking down walls, and a part of his stable and rebuilding the same, and for other work rendered necessary by the widening said street, the sum of twelve hundred and eighty two dollars and sixteen cents, which with the estimated worth of the above mentioned land make the sum of thirty one hundred and twenty eight dollars & sixteen cents. But in the opinion of your committee the estate of Wm. Greene's has been greatly benefitted by the widening and reducing Common street, they consider it right that he should be required to bear a proportional part of the

expense in Making that work they therefore recommend, that there be allowed and paid to said Greene the sum of Eighteen hundred dollars, which they consider full compensation for all the damages he has sustained.

Thomas Welsh Jun.
John F. Loring } Committee.

Read and accepted with an amendment, at 4, strike out "eighteen hundred" and in lieu thereof insert "twelve hundred eighty two 16/100." —

Mayor's Message. Mercantile Wharf Corporation.

Gentlemen of the City Council,

The Mercantile Wharf Corporation having omitted to sign the contract, authorized by the City Council on the 2nd. of November last, on the ground that there is in the terms of it an ambiguity, which may lead to future controversy between the City & that Corporation, and they having expressed their desire that the question and difficulty should be stated to the City Council & the end that some course might be adopted to prevent such future controversy; and this request having been also supported by several members of the Committee Council charged with settling the terms of that contract, I have deemed it my duty to lay the same before the City Council, for their determination. The difficulty arises as it respects that part of the contract, which provides that "all of the Marginal wharf, South of the northerly line of the said Mill Creek shall be the property of the Mercantile wharf Corporation, and all of said wharf to the South to be the property of the City. The question arises on what is the northerly line of the Creek the direction of the Creek having been turned by the City,

b

43rd

Mercantile Wharf Corp.

by virtue of the rights derived from their grantors of Howard's estate; it is contended by the Mercantile Wharf Corporation that the northern line of the dock is established by the rights derived from Howard, and that where the present northern line starts, the line of Whitney's flats. That the line of the dock is changed to the direction of Whitney's line of flats. The effect of this construction is that the City's portion of Marginal wharf will be diminished about fifteen feet in width on the dock and the mouth of the creek, instead of being about thirty feet wide will be narrowed to fifteen.

In corroboration of their construction the Mercantile wharf Corporation state, that the original contract was predicated upon the basis, that the City should give one hundred feet of its flats on the south side of the creek and the mercantile wharf Corporation one hundred feet on the north side of the creek for the purpose of forming a common dock and that the encroachment being accurately taken from the extreme points of their respective rights on the creek left the creek at its mouth only fifteen feet wide; which was the cause of establishing the dock of the width of two hundred and fifteen feet. And they aver that in no part of the discussions was it ever suggested or intended that the rights of the Mercantile wharf should be diminished to a less space than one hundred feet, nor the rights of the City extended to a greater width than one hundred and fifteen feet. Whereas upon the construction they apprehend the terms of the contract will bear, the rights of the City will be extended to a space of one hundred and thirty feet, & those of the Mercantile wharf Corporation diminished to eight five feet. A construction which they deem injurious to them

and

and not intended by the City Council, and which they are desirous of having settled before executing the contract.

Should the City Council deem the wishes of the Mercantile interest a question to merit attention, all their objects will be answered and the real interests of the City maintained by either appointing a committee of the City Council, or the Mayor and Aldermen to establish the North line of the Creek as to them it may appear, after an examination of all circumstances to right and justice shall appertain. — Josiah Quincy.

Read and committed in Common Council to Messrs. Morey, Hastings, Ames, Grosvenor, Howe, Hallet, and Riley, with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen, Carney, Welsh and Otis are joined.

Tombs

The committee of this board to whom was referred the report of a committee of the Selectmen instructed on the petition of S. H. Dewes and others, and subsequently the petition of Jabez Putnam and others, for leave to build certain tombs in the Granary ground on Washington Street, and also the several remonstrances of Joseph Field, Francis Jackson and others, against granting the prayer thereof have attended to the duty assigned them so far as to make the following report. That the subject is of great importance, requires much serious consideration. The opinion of the citizens of the City Council made when a very full and elaborate report of a joint committee of both branches is against the building any more tombs within the present limits of the City. Still your committee are of opinion that so much of this ordinance

Granary ground

Field, Jackson

as it

will have to be rescinded at an early day as to permit the building of tombs in certain cases and under certain restrictions therein some highly important improvements in the City, which have been in contemplation for some time past, can be carried into effect. Your committee allude to the contemplated continuation of the mall across the burial ground at the bottom of the Common and also the laying out of Charter Street at the north section of the City; the committee having two ranges of tombs on the land where the north grammar house lately stood in the north burial ground; some alterations of tombs on Snow-hill street &c. There are also two several applications in favor to build tombs in South Boston and which have been postponed under a belief that the whole subject of the further building of tombs within the City must very shortly from absolute necessity engage the attention of the City government. In all which among other reasons your committee recommend that the said petitions together with the remonstrances accompanying the same, be referred to the next City Council, as being also alone the proper body to act in the premises. All which is submitted. Henry J. Oliver in behalf of the committee.

Read and accepted. Preferred accordingly.

Phillips Franklin monument

The committee of both branches of the City Council to whom was referred the petition of the Hon. William Phillips and others praying to be permitted to erect in the Granary burial ground a suitable monument to the father and mother of Dr. Franklin, in lieu of that which he placed there, and which through the texture of the original material and the ravages of time is now greatly deteriorated,

Respectfully

Respectfully, report that in the opinion of your committee the proposal is of a most honorable and patriotic character and deserves the approbation of all, who justly appreciate the merits and services of the great man out of respect to whose memory it has originated. So far, therefore as the City Council have authority on this subject, your committee recommend that the permission solicited be granted, and that the Petitioners be apprised that any countenance or encouragement, which may be necessary and within the powers of the City Council, will be readily extended to a design so creditable to the feelings and honorable to the character of our Citizens. All which is respectfully submitted. By order of the Committee.

Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the City Clerk transmit a copy of the above report to the Hon. William Phillips to be communicated by him to the other subscribers, as expressive of the sense of the City Council on the subject matter of their said petition. (C)

Sent down for concurrence. Came up concurred with an amendment, at (C) insert the words "It being understood nevertheless that it is the wish of the City Council that the present monument be not disturbed or removed."

Read and concurred.

An ordinance prescribing the forms of Warrants, & of the service thereof. Passed in concurrence with the Common Council, with amendments. Sent down for concurrence. Came up concurred. Warrants

An ordinance directing that where buildings are to be erected, notice thereof shall be given to the City authorities. Passed in concurrence with the Common Council, with an amendment. Sent down for concurrence. Came up concurred. Buildings notice to be given

Fresh fish

An ordinance regulating the sale of fresh fish Passed in concurrence with the Common Council.

Mayor to execute deeds &c

An ordinance authorizing the Mayor of the City of Boston, to sign and execute all deeds & leases of lands sold or leased by order of the City Council, Passed in concurrence with the Common Council.

Cows

An ordinance regulating the going at large of Cows, and the right of pasturage on Boston Common Passed in concurrence with the Common Council.

Provisions

An ordinance to prevent the sale of unwholsome provisions Passed in concurrence with the Common Council.

Theatrical Exh.

An ordinance to regulate Theatrical exhibitions Passed in concurrence with the Common Council.

Wood Bark

Ordered, that the ordinance relative to the measurement of Wood and bark be committed to the Mayor, Aldermen Oliver and Jackson, to consider and report.

Guns, fire works

An ordinance forbidding the firing of guns, prohibiting fire works in certain cases, and to prevent damage by fire Passed in concurrence with the Common Council with an amendment. Sent down for concurrence.

Came up concurred.

Market Watchmen

Ordered, that warrants be granted to the Watchmen in the Market.

An ordinance relative to the burial of the dead. Passed in concurrence with the Common Council, with amendments. Sent down for concurrence. Nonconcurred in Common Council. Reconsidered, and concurred. Burial of dead

An ordinance to prevent unlawful and injurious practices in the streets of the City. Passed in concurrence with the Common Council, with amendments. Streets.

Sent down for concurrence.

Came up concurred.

It appearing to this board, that notice has been given, agreeable to the order passed on the Petition of Amos Colting, for leave to open the common Sewer in Washington street, near Court street. And now no person appearing to object. It is ordered, that the same be opened under the direction of the Mayor and Wm. Patterson. Colting Washington st.

Petition of Jonathan P. Hall, junior, and others, praying, that three persons may be permitted to stand with hand carts on the westerly side of Union street. Read and the board deem it inexpedient to grant the prayer of said petition. Hall Union street.

Petition of Augustus G. P. Colburn to be licensed as an Auctioneer. Read and committed to Aldermen Welsh and Loring to consider and report. Colburn

Adjourned to Monday next, six o'clock P. M.

Monday December 25th 1826.

Met according to adjournment.

Present — The whole board.

Mercantile Wharf Corpn.

The committee of both branches of the City Council to whom was referred the communication of the Mayor relative to the question raised by the Mercantile Wharf Corporation on the construction to be given to the terms of the contract which the Mayor was authorized to execute on behalf of the City with that Corporation, respectfully report, That after hearing the Agents of that Corporation, they are of opinion that it was the intention of the City Council in acceding to that contract to make the northerly line of the Mill Creek the dividing boundary line between the rights of the City and of the Mercantile Wharf Corporation so far as respects Marginal Wharf; and that when said wharf should be built that the course of that line extended in a straight direction to the easterly line of said Marginal Wharf should be the boundary line of their said respective rights. Your committee can have no question that such was the intention of the City Council, and that such also would be the legal construction of the terms of the contract, so authorized to be executed by the City Council. In order, however, to leave no doubt upon the point, since a question has been raised upon it, your committee recommend the resolution subjoined to be adopted by the City Council. It also being ascertained that there exists in the minds of some members of the Mercantile Wharf Corporation an opinion that the terms of the contract give to the Mercantile Wharf Corporation more than an equal proportion of the Dock, where it narrows to a less width than two hundred and fifteen feet. — Although your committee do not apprehend

that

That any such construction as that above suggested could pos- Mercantile
sibly be given to the terms of the said contract they deem Wf. Corpn.
it their duty to recommend a resolution, not only fulling
an end to any such construction but also establishing a prin-
ciple of mutual convenience in relation to the occupation
of said dock. All which is respectfully submitted.

Josiah Quincy, Chairman.

Resolved, That the authority given to the Mayor,
by a resolve of the City Council dated the 27th of November
last, to execute a certain contract specified in said resolve
with the Mercantile Wharf Corporation, shall not be executed,
on behalf of the City by that officer, without inserting in
said contract additional terms declaring that the present north-
erly line of the Creek extended in a straight direction to
the easterly line of the proposed Marginal wharf, leaving
the said Creek thirty feet wide shall be the boundary line
between the respective rights of the City and of the said Mer-
cantile Wharf Corporation on Marginal Wharf.

Resolved, That the authority mentioned in the
preceding resolution shall also not be exercised by the Mayor
unless additional terms be inserted in said contract declaring
that as it respects that part of the Dock therein mentioned,
which is less than two hundred and fifteen feet wide, neither
party shall lay any wharf within fifteen feet of the centre
of said dock, except it be within one hundred feet of
Marginal street. Read and accepted, and the res-
olves passed.

Sent down for concurrence.

Came up concurred.

Augustus G. P. Colburn nominated & appointed an Auctioneer. Auctioneer

Faneuil Hall. The committee on the subject of the uses to which the rooms vacated in Faneuil Hall can be best applied Respectfully report, That they have had the same under consideration and have caused some plans to be prepared; but have not been able to complete the necessary estimates of expense, and therefore recommend that the whole subject should be referred to the next City Council. —

By order of the committee Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Quarantine of vessels. The committee of this board to whom was referred the amendments to the ordinance establishing & regulating the Quarantine of vessels passed in the Common Council have respectfully to report, that by the ordinance, passed by this board it is made the duty of the Health Commissioners to remove or cause to be removed under the direction of the Mayor and Aldermen any person or persons sick with any infectious or contagious disease within the City to such places of safety as are therein designated. And to examine all vessels arriving in this Port after the fifteenth day of September, and before the fifteenth day of June from such ports or places therein named & causing on board certain specified articles & merchandize, and if necessary to cause the same to be purified. By the amendments passed in the Common Council the execution of these duties are taken from the hands of the Health Commissioner and transferred to the Mayor and Aldermen and to the Resident Physician, thereby entirely the office of Health commissioner as it respects the execution of any part of this ordinance useless and unnecessary in as much as they have to

that

that officer no defined duties to be performed. As cases of infectious or contageous disease of a character to require the interference of this board very seldom occur and as in the event of their happening, the ordinance gives to the Mayor and Aldermen the power to appoint one or more persons from time to time to take the charge of and superintend the removal of all such deceased persons, the labours of this board cannot be much increased. The additional duties which will devolve on the Resident Physician are those of examining and quarantining such vessels arriving in this Port after the fifteenth day of September and before the fifteenth day of June; as may be liable thereto, and which can be executed by him without interfering with any of his more important duties.

The last amendment strikes out certain words in the tenth section for the purpose of disincumbering the ordinance of a part rendered superfluous and inconsistent by the preceding amendments. For these reasons your committee respectfully recommend the board to agree to the amendments proposed by the Common Council, and to pass the ordinance accordingly. By order of the Committee. John Bellows, Chairman.

Read and accepted, and the ordinance establishing and regulating the Quarantine of vessels and for repealing a former ordinance upon that subject, passed in concurrence with the Common Council.

Lamps.

Ordered, that from and after the first day of February next, no street lamp shall be lighted at the expense of the City other than those already established unless the same shall have been erected under the direction and with the approbation of the Mayor and Aldermen.

447.

Clark / Washington St.

The committee of the Southern district Voted, that William Clark one of Lemuel Hastings tenants, & the last that remains to be settled with, now offers to recommend Dollars for damages he sustained in consequence of the widening of Washington Street. Your committee are still of opinion that fifty Dollars is a fair compensation; but when the witnesses & a reference or a law suit is considered it would probably be as well on the whole to accept his offer: they therefore recommend that said Clark be paid ninety dollars in full for all the damages which he sustained by the removal of a part of his premises for the purpose of widening said street. Respectfully submitted. Daniel Conn
Francis Jackson
Committee

Read and accepted & Voted accordingly.

Roberts & Cobb / George Street

The committee on the petition of Richard S. Roberts and Nathaniel Cobb praying, that a drain be laid in George Street reported that George Street has not been accepted by the City, and it is inexpedient to lay a drain therein.

Read and accepted.

Attorney Act

An ordinance providing for the appointment and duties of an Attorney and Solicitor for the City of Boston. Came up for concurrence. Read and ordered to be laid on the table.

Wood & Bark

An ordinance regulating the admeasurement of Wood and Bark, passed in concurrence with the Common Council as taken into a new draft. —

Sent down for concurrence.

Came up concurred.

Petitions of Homes & Homer and Proctor and Palmer that John Noble and Henry Harrington who are licensed as hand Cartmen may be permitted to stand with their Carts at the corner of Ann and Union streets. Read and the board are of opinion that it is inexpedient to grant the prayer of said petitions. Homes & Homer Proctor & Palmer Union & Ann St.

Petition of the Alert relief fire society, that they may be recognized by the fire department during the time of fire, under the rules and regulations thereof. Read and the prayer thereof granted, and thereupon ordered, that the Mayor certify the names of the members of said society to the Chief Engineer of said department. Alert relief fire Society

Petition of Isaac Adams, and others, praying, that glass doors may be placed at the bottom of the stairs to the cellars in Faneuil Hall Market house. Read and committed to the committee on the Market to consider and report. Adams Faneuil Hall Market.

Application of William H. Prentice for remuneration in land taken by the City belonging to him to widen Dunham st. Purchase street. Read and committed to Aldermen Williams & Robbins, to consider and report. Prentice Dunham st.

Letter from Daniel Davis, Esq. concerning certain cases in suit at law of the City in which he was employed as Counsel. Read and committed to the Mayor and Aldermen Welsh, to consider and report. Davis

Adjourned to Friday next half past 3 o'clock, P. M.

Friday December 29th 1826.

Met according to adjournment.

Present — The whole board.

City Hymly debt

Ordered that the further sum of twelve thousand dollars, be and the same hereby is appropriated for the payment of interest on the City and County debt.

Came up in concurrence.

Read and concurred.

Macomber Licence

Application of Zabdiel Macomber for a license to exhibit a Menagerie of living animals consisting of a Lion, Camel, Tyger, Leopard, Lama, Jackal, Catamount Bear, Wolf &c. at a building on Bowdoin street, for two months Granted, on payment of six dollars, per month.

Prentice Purchase St.

The committee to whom was referred the Petition of William H. Prentice for remuneration of land taken to widen Purchase street reported, that they find about eighty feet of land appropriated to the City's use and that the Petitioner is entitled to fifty dollars as full satisfaction for said land.

Read and accepted.

Boston & Roxbury Mill Corp.

To the Mayor, Aldermen and Common Council of the City of Boston.

Gentlemen —

I am directed by the Committee who were appointed some time since with full powers to settle the question in dispute between the City of Boston & the Boston and Roxbury Mill Corporation to state that this has at length been accomplished, with no inconsiderable pain and I trust I may be permitted to say, in behalf of the Committee

committee with great zeal and industry to protect the City's interest, and at the same time yielding to the Corporation such privileges only as your committee believed them justly entitled to, considering the benefits to be derived to the City from this great and expensive enterprize. Your committee have satisfied themselves as well as the distinguished Counsel who were employed to defend the suit against the City, that this agreement is just fair and equitable; they therefore deemed it their duty to make this communication thus early, that if any further measures should be thought necessary to carry the agreement into full effect the City Council may have opportunity to make the necessary arrangements. All which is respectfully submitted. S. Bellows Chairman

Read and accepted in Common Council. Came up for concurrence. Read and concurred.

Freeman by Shaw.

The committee to whom was referred the petition of Samuel Shaw Esq. Guardian of the minor children of Watson Freeman deceased, and attorney of the other children of said Freeman, reports, that they have examined the subject of said petition and heard the parties, find, that on the 6th of April 1802, the Selectmen of Boston, duly authorized for that purpose by the Inhabitants conveyed to Tho.s S.r and Benjamin Austin Esquires deceased, the lot of land described in said petition containing about sixteen hundred and two feet, in exchange for a piece of land, on the same day, conveyed by said Austins to the Inhabitants of Boston, and which now constitutes a part of Berne Street, and was purchased for the purpose of widening that street. The deed of the Selectmen contained the usual covenants of warrandy of title &c. The lot

Conveyed

conveyed to said Austins, continued in their possession until the 23d October, 1804, when they sold it to Watson Freeman deceased, and continued in him and his heirs until 1823, when the latter were dispossed by John Hancock. Whereupon said heirs brought their actions of ejectment against said Hancock, & gave due notice thereof to the Mayor and Aldermen, and said actions was tried in the Supreme Judicial Court November term 1825, when said Hancock disclaimed a part of the land conveyed by said Selectmen of Boston to said Austins, and which was included in the demand of Freeman's heirs and as to the residue the verdict was in favor of his title, and adverse to any title in the City of Boston. Your committee are therefore of opinion that the City of Boston is liable to said Freeman's heirs in a breach of the covenants contained in said deed of said Selectmen of the Town of Boston, and recommend that the following resolve be adopted.

Resolved, by the City Council, that the Mayor and Alderman be authorized to agree on suitable persons to ascertain the damages claimed by Lemuel Shaw, Esq. Counsellor and Attorney of Watson Freeman's heirs, for a breach of covenant contained in the deed of the Selectmen of Boston to Jonathan L. and Benjamin Austins, Esquires dated 26 Feb 1803.

Thomas Welsh, Pr. } Per order of the Committee.

Read and accepted, in Common Council and the resolve passed. Came up for concurrence.

Read and Concurred.

Nichols / Temple Street

Application of Cushing Nichols for remuneration for land taken to widen Temple Street, transferring the cellar walls. Read and referred to the next board.

The committee of both branches of the City Council on the subject of the revision of the By laws, respectfully report, That the laborious task assigned them has been executed so far as depends upon this committee and that as soon as those ordinances which have been reported shall receive the final sanction of the City Council, nothing will remain but to provide for their publication in a volume; in the same form as authorized by the City Council and containing the City Charter and all laws of the State now in force having relation to the City of Boston. Such a volume is exceedingly wanted by every department of the City government. Your committee therefore respectfully recommend, that a committee of both branches be appointed with authority to contract for such a publication. That the same be done, and provided with a copious index under the superintendence of the Solicitor General, with such preliminary remarks, as he may deem expedient. Your committee also state that there are a few orders and ordinances which it has not been deemed expedient to repeal or alter, but which having been passed previous to the forms & enacting style adopted in the ordinance passed the 12th of December, 1823, retain the forms and enacting styles, which were in practice antecedent to that ordinance. It has been thought by your committee that it would add to the uniformity of the work, if in these particulars they should be changed, and an authority given to the committee charged with the publication of the proposed volume to that effect. Your committee respectfully submit two orders, embracing the objects suggested in this report, for the consideration and adoption of the City Council. By order of the Committee. Josiah Quincy, Chairman.

Ordered, That Messrs. Morey, Gray, Loring and Wales, with

and

Do laws.

1833. such as the board of Aldermen might join, be a committee with authority to cause to be published in one volume of such size and type as they may deem expedient, the City Charter and all laws of the State of Massachusetts relating to the City of Boston, which are now in force, together with all ordinances passed by the City Council, which are also now in force, and that the same shall be provided with a copious index, the whole to be published under the superintendance of the Attorney General, and in the form recommended by him, with such notes and preliminary remarks as he and the said Committee may deem expedient, and that the said Committee shall have authority to contract for publishing the said volume, on the terms they may deem most expedient, and for the delivery to the City for its use of two hundred and fifty copies.—

Ordered, That all orders of the City Council which are of the nature of ordinances and which now remain in force, unrepealed, be taken and deemed ordinances and published as such; and that the enacting styles of all such orders, and of all ordinances, which do not conform in that respect to the Ordinance passed the 12th day of December 1833, shall so far as respects their enacting styles be changed and made to conform to the provisions of said last mentioned ordinance, & that the Committee of Publication herein be constituted to govern themselves accordingly. Read and accepted in the Common Council and the orders passed. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Welsh and Robbins are joined.

Harrington Cedar shed. The committee on the petition of Ebt. Harrington, for leave to have Cedar shed accepted, Reported, that it is inexpedient to accept the same at present. Read and accepted.

Holland & Fowler & Howard &c.

The committee to whom was referred several communications of Thomas Holland and Daniel Fowler, relative to the bounds of Howard street, Report, that they have met the parties and heard their several statements each party appears to be very sanguine that the other has encroached upon said street, and in this respect your committee are of opinion that both of them are correct, but to what extent they are not prepared to say. The encroachment is this, that part of the street which runs eastward from Front street, to low water mark, and which is now used for a dock; the direction of this part of the street depends upon the true line of the north east part of said street, between Front and Washington streets, which line is also in dispute, and in which the bounds of the estates each side are involved, which render it necessary to go into the examination of numerous deeds, plans &c. a labour and expence which might not be devolve upon any committee of this board, but should be borne by the petitioners themselves. This opinion of the committee was accordingly made known, and at the same time they recommended to them to submit the whole subject to referees as the most proper way to settle the lines of their estates, and the street; whereupon the parties did agree in the presence of your committee to submit the same to referees to be mutually chosen by themselves. Your committee would also state, that Mr. S. P. Fuller did survey said street, by their direction and made a plan of the same, which plan was taken by ascertaining the central point of said street, at its commencement at Washington street, on each side of which stones now stands that were erected, soon after the great fire in 1787, another central point was determined about half the distance between Washington and Front streets from as ancient

monuments

monuments as any in the street, and from these two points the whole line of said street was ascertained to low water mark. Mr. Fuller is very confident that these are the true principles upon which the line of said street ought to be established. Your committee are of opinion that Mr. Fuller's plan is entitled to much weight and ought to be preserved; yet they cannot consistently recommend its acceptance inasmuch as they did not apprehend it to be their duty to investigate the subject sufficiently to be very confident in any opinion and because the parties had agreed to submit the whole subject to referees to be settled at their own expense. Your committee are therefore of opinion that the lines of Warren street ought to be ascertained by the petitioners themselves and in the manner they have agreed in the presence of your committee; to wit, by referees mutually chosen. They therefore ask leave to be discharged from the further consideration of the subject. Respectfully submitted.

James Cannon, for order.

Read and accepted and referred to the next board of Aldermen.

Lewis

The committee on Fort lands to whom was referred the petition of Winslow Lewis, praying that the City would bear a part of the expense of deepening the Canal near Northampton street, Report, that the mud in the bottom of said Canal will have for its removal, they are therefore of opinion that it would be inexpedient for the City to give more than their consent that the Petitioner deepen the same at his own expense. —

Read and accepted, in Common Council. Came up for Concurrence.

Read and concurred.

The committee on Neck lands ask leave to make their final report. The income of said Neck lands, lands are as follows, for pasturage ..... $ 295, .. final report

for rents of land by the season 185, ..

do do on leases 108, 70

Total $ 590, 70.

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The sales of land during the year have been already reported, the gross amount of which was, nine thousand, five hundred ninety five dollars, and seventy three cents. It will be seen that much the largest item of expenditure was incurred by planting Elm trees, each side of Washington street opposite the City lands; by the terms of their commission your committee were instructed "to cause such improvements to be made as they might think necessary," and they were all of the opinion that no improvement they could make would be so desirable as the planting of said trees, which with proper care hereafter will give additional value to said lands and at the same time be useful and ornamental to the street. The sales of land during the past year have not equalled the expectations of your committee, but when it is remembered, that the value of real estate generally has materially decreased the cause of their limited sales may be readily accounted for: Your committee however do not doubt, but

that

154. that from the future sales of said lands very considerable sums of money will be realized annually for a long succession of years.

Respectfully submitted, for the committee. Dan Haines, Chairman.

Read and accepted in Common Council. Came up for concurrence. Read and concurred.

Rowe & Welles

The committee on the petition of Joseph Rowe and others, shewing a road to the City for accommodation leading from Bedford to Essex streets, and the remonstrance of John Welles and others against the same reported, that the subject be referred to the next board of Aldermen.

Read and accepted.

Franklin School House

The committee on the subject of the Well at the Franklin School house, reported, that the orders, directing the same had been carried into effect.

City Council members elect.

Ordered, that the City Clerk publish a notice in the papers to notify the members elect of the boards of Aldermen and Common Council, to meet in their respective rooms on Monday next, ten o'clock A.M. for the purpose of being organized and commencing business for the year ensuing.

Ordered, that all matters and things not acted upon be referred to the next board of Aldermen.

(The) meeting was then adjourned without day.

Attest,

Samuel F. McCleary, City Clerk.

The foregoing is a true record of the proceedings of the Board of Aldermen for the year 1826. viz.t from the second day of January to the twenty ninth day of December 1826. both inclusive.

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